

Child Witnesses in Sexual Abuse Trials

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This thesis contains no material which has been accepted for the award of any other higher degree or graduate diploma in any university and to the best of my knowledge and belief, contains no material previously published or written by another person, except when due reference is made in the text of the thesis.

Tama Khaton

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**Impact of video technology on child witnesses
and on juror perceptions of witness credibility**

Literature Review

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Abstract

Legislation allowing video technology in court has been enacted in many Australian states and territories. The modifications in court procedure associated with 'videolink' and 'videodeposition' use were proposed because of growing concerns that testifying in the courtroom environment in the defendant's presence may negatively affect both the psychological well-being of child witnesses and their ability to testify. However, these changes have been made without much controlled research into their effects. It needs to be established that these changes are not only beneficial to child witnesses but also that juror perceptions of witness credibility and subsequent conviction rates are not adversely affected. Few studies have examined these issues and none have compared the impact of these two modifications on the justice system. Furthermore, the effect of the judge's instructions regarding testimony presentation mode has not been investigated using a balanced trial. This is of concern because research has indicated that the judge's instructions may have unintended effects, backfiring by sensitising jurors to inadmissible evidence. Testimony presentation mode and the judge's instructions regarding it may impact on information jurors gain from trial events and the resulting beliefs about witnesses may be magnified by jury deliberation. Research is needed to evaluate the relative effects of these variables on juror perceptions of witnesses and on conviction rates.

Impact of video technology on child witnesses and on juror perceptions of witness credibility

The criminal justice system has been under substantial pressure in recent times to modify its procedures to better deal with child witnesses. This is important because the majority of sexual abuse cases rely solely on the evidence of children to secure convictions (Duggan, Aubrey, Doherty, Isquith, Levine & Scheiner, 1989). Being involved in legal proceedings has been found to be particularly stressful for children (Runyan, Everson, Edelsohn, Hunter & Coulter, 1988). Goodman, Levine, Melton and Ogden (1991) state that such stress can so impair the cognitive and emotional development of children that they do not keep pace with peers in this regard and that temporary regressions in development may even occur. These researchers state that, while adults also suffer stress from giving evidence, they are more completely developed in the above respects and, therefore, may not be as negatively affected as children. It is important that legal procedures established for adults are modified to suit the needs of children but not at the expense of justice for any involved party. One such form of modification to legal procedure which has been introduced is the use of video technology in the courtroom.

Aims and Scope of Review

The aim of this paper is to review and evaluate literature concerning the impact of video technology on court proceedings involving child witnesses. The first aspect considered is the effect

of video procedures on child witnesses themselves. This involves examining changes to court procedure brought about by the advent of video, such as removing the child from the courtroom environment and out of sight of the defendant, and exploring the impact of such changes on the psychological well-being of child witnesses and on their ability to give optimum testimony.

It is important to not only ensure that these changes are beneficial to child witnesses but also that they do not adversely affect juror perceptions. The second part of this review, therefore, examines the effect of video procedures on juror perceptions of child witness and defendant credibility. The judge's instructions to the jury regarding mode of child witness testimony presentation is an element of the court process which may further affect juror perceptions of witnesses and, as such, is also explored. This literature review concludes by considering the impact of jury deliberations on perceptions of the child witness and defendant. Future directions for research arising from the literature review are discussed.

This review makes reference to both clinical, psycho-legal and research material. Clinical literature makes a valuable contribution to the body of child witness research because it documents knowledge gained through practical experience. In some instances, the specific area of focus cannot be explored using experimental methods due to ethical and/or legal restraints. However, clinical material has limited utility because of its lack of experimental validation, thus the need to also examine psycho-legal and research literature. Unfortunately, there has been a

meagre amount of such material to date. Research dealing with proposed changes in legal procedure is very important because it assists psycho-legal practice by improving our understanding of the likely consequences of implementing particular changes. It is important to ensure that changes contribute to the achievement of justice for both children and defendants.

Role of Video Technology in Court

The use of video technology in child sexual abuse cases has been proposed to overcome some of the problems associated with child witnesses testifying in court. These problems include children having to face the accused, fear of the accused retaliating against them, and giving evidence in the unfamiliar formal environment of the courtroom which contains many strangers.

There are several roles that video may play in the presentation of eyewitness testimony. A first role involves the videotaping of evidence. According to Cashmore (1990), there are two main actual and proposed forms of *videodepositions*. These are court-based recordings which may be made at preliminary hearings and out-of-court interviews conducted as soon as possible after the alleged crime. Another role of video involves examination of the child witness through closed circuit television linked to the court trial (termed *videolink*). These two presentation modes have only recently been proposed as modifications to the conventional form of evidence admission which involves *court-given* testimony by the child.

Legislation permitting child witnesses to give evidence using closed circuit television ('videolink') has been enacted in New South Wales, Queensland, Western Australia and the Australian Capital Territory within the past few years. While this procedure usually involves the child giving evidence outside the courtroom, there have been variations such as in Western Australia where the defendant is required to leave the court and, on a video screen, view the child testifying in court (Naylor, 1989). Videolink legislation was not passed in Tasmania until last year. This legislation also allows for a videodeposition to be admitted into evidence if deemed appropriate by the judge. These modifications in court procedure were introduced without much research being conducted into their effects, particularly in regard to juror perceptions. The New South Wales Child Protection Council (1992) highlighted the fact that experimental validation of videotape fulfilling its goals was lacking. It may have negative effects although appearing superficially beneficial to the justice system.

One problem associated with prerecorded evidence is that it may be inadmissible in court because of the hearsay rule (Cashmore, 1990). This rule, however, does not apply in the United Kingdom or Australia if the child witness is available to give evidence and be cross-examined at trial or if the defence has the opportunity to question the child while the videotape is being made (Spencer & Flin, 1990). While it is essential for the defence to be able to cross-examine prosecution witnesses in order to present its case, the benefits of videodepositions may be lost if the child has to later appear in court anyway.

Another barrier to using video technology in legal proceedings has been the requirement, in accusatorial systems (eg. United States), for witnesses to give evidence in the defendant's presence. While the accused does not have a constitutional right to confrontation in Britain and Australia, it is accepted procedure in criminal proceedings (Flin, 1993). This is due to confrontation being seen as increasing the likelihood that witnesses will tell the truth. However, for child witnesses, confrontation can result in little or no evidence being given in court (Spencer & Flin, 1990).

By removing children from the courtroom environment, videolink and videodeposition procedures aim to reduce the stress caused to children by investigatory and trial procedures. In doing so, it is hoped that the evidence quality will improve. The main determinants of whether to use closed circuit television (ie videolink) or videodepositions involve the aim of the procedure and the time at which the testimony is given. Videolink presents evidence at the same time as it is given by the child in a room near the court, whereas videodepositions present statements which the child made some time earlier. There are several potential advantages and disadvantages of each of these procedures in regard to possible effects on child witness psychological well-being and ability to testify.

Impact of Video Technology on the Child Witness

The literature regarding the effect of video technology on child witness psychological well-being is both clinical and psycho-

legal in nature. It is usually not possible to conduct controlled experimental research into child witness well-being due to ethical and legal constraints on the factors which can be manipulated. However, in addition to clinical and psycho-legal literature, experimental studies which address the nature of event recall among children, are represented in the body of literature which explores the impact of videototechnology on child witness ability to testify.

Both areas include the findings of studies which have surveyed the experiences of children who have been involved in the criminal justice system and identify the problems which children experience in giving evidence in legal proceedings. In doing so they aim to identify the possible advantages and disadvantages of allowing children to give evidence outside of the courtroom, rather than requiring them to be physically present in court.

Child Psychological Well-Being

Cashmore (1990) believes the main advantage from the use of the videolink procedure is that children are allowed to testify without having the defendant present and also, depending on the form of videolink available, outside of the unfamiliar, formal courtroom environment. Alternatively, videodepositions can be played in court to eliminate the need for the child to be present to give evidence. Those recorded at preliminary hearings allow the child's evidence to be given in a more informal environment without the jury, press and public present. In some cases, the

defendant is also out of sight of the child (Cashmore, 1990). In regard to videodepositions recorded out-of-court, the child's evidence can also be given in a less threatening environment which can even contain comforting toys and child-sized furniture (Davies & Westcott, 1992). The potential for the surroundings or the alleged abuser to intimidate the child is thus reduced by use of either of these procedures. In this way, it is hoped that the use of closed circuit television and videodepositions will reduce the trauma caused to children by testifying in legal proceedings.

Flin, Stevenson and Davies (1989) conducted a survey which found that children gave a number of reasons why they would be nervous or scared about testifying in court. These included the fear of not knowing anyone in the courtroom and having to talk in front of a large number of adults. In sexual abuse trials, the child would have to give details of embarrassing and frightening events in front of many strangers and court officials in a large, unfamiliar, formal environment. Fear of confronting the accused or of retribution from the accused was also identified as a major concern of the children. In cases where the defendant is well-known to the children, pressure applied to keep them from giving evidence may result in them being reluctant to testify, particularly with the defendant present (Goodman & Helgeson, 1985). Melton and Thompson (1987) found that the majority of children preferred the defendant not to be present in court and believed that they were better able to give evidence when this was the case. However, several children stated that their memories would have been triggered by the sight of the accused and some children who gave evidence in a

small room near the court reported feeling increased anxiousness due to their isolation.

According to Cashmore (1990), videotaping initial reports of child abuse has two main possible advantages over the traditional procedure of receiving evidence. Firstly, this procedure has the capacity to reduce the number of investigatory interviews, which may hold benefits for children unrelated to the issue of whether these interviews are admissible in-court. Following the making of child abuse allegations, child witnesses must give evidence and be cross-examined at preliminary hearings and later at trial. In addition, a number of treatment agencies (eg. health and welfare) and investigatory agencies (eg. police and prosecutors) may seek to conduct interviews with the child, in keeping with their particular interest in the case. These existing procedures are unduly stressful for many children and being asked the same type of questions by different people may be confusing.

To counter negative effects associated with long delays between making a statement to police and the matter coming to trial, a videodeposition should be advantageous as the early videotaped account which involves the child's exact words at the time of reporting could be used to supplement the live testimony of an inarticulate child (Cashmore, 1990). Cashmore concedes that this would only eliminate the practice effect from answering questions that examination by the prosecution may provide and would mean that the child would still have to be cross-examined. Concern has been expressed regarding whether this would reduce child witness stress or increase it (Davies, 1992). Children could

also view the videotape of their account before they testify to refresh their memory in the same way that witnesses usually examine their written statements before taking the stand. While the defence may use this to attempt to diminish children's evidence by asserting that they are lying or unsure of what happened, this form of questioning occurs at present when written statements are involved (Cashmore, 1990).

An additional benefit from reducing the current long delay in giving evidence, by recording a videodeposition as soon as possible after an allegation has been made to police and using this as the record of evidence, is that it allows abused children to put these negative events behind them, to some extent, more quickly than conventional procedures allow (Cashmore, 1990). The children may then be able to commence therapy to help them deal with the psychological consequences of the abuse (Davies & Westcott, 1992). The emotional well-being of children has been shown by a prospective cohort study to be adversely affected by having protracted contact with the criminal justice system, after age, type of abuse, relationship to the perpetrator and duration of abuse have been controlled (Runyan et al., 1988).

Davies (1988) believes that videodepositions will probably be used to supplement the child's testimony via videolink, rather than replacing court-based testimony. In this way, the child's court contact may be reduced rather than eliminated completely. However, if the child witness is deceased or has been seriously incapacitated such that court attendance is not possible, the videotape may be accepted on its own as evidence in exception to

the hearsay rule. This has long been done with written statements (Davies, 1988).

Cashmore (1990) believes children should be given the choice of how they testify, rather than videolink being imposed on them, so that they feel empowered by the trial process. Finkelhor and Browne (1985) provide a conceptualization of the impact of sexual abuse on children which includes powerlessness as one dynamic. This framework suggests that, when adequately prepared, some children may find giving evidence in court while confronting the defendant therapeutic. In Cashmore's opinion, the reduction of children's stress by allowing them to choose to use closed-circuit videolink will result in an improvement in the quality of evidence due to recall being enhanced rather than inhibited.

Quality of Child Witness Evidence

According to Goodman and Helgeson (1985), intimidation and stress may cause witnesses to be both less willing and less able to retrieve memories. Children who are stressed may be impaired in their ability to process information, and therefore, also to retrieve it from memory. Furthermore, intimidation of child witnesses resulting from them having to confront their abuser in court may reduce the likelihood that they will tell the truth about the events in question. Videolink and videodepositions have been advanced as ways of eliminating the possibility of stress induced memory impairment connected with court appearances (Goodman & Helgeson, 1985).

In contrast, the removal of children from the courtroom may have undesired effects on the quality or perceived quality of their testimony due to the isolation and their more relaxed state which results from less inhibiting, more comfortable surroundings. MacFarlane (1985) expresses concern that a more relaxed child witness may suggest to jurors that the testimony was 'learnt' or that the child was not psychologically and emotionally harmed by the alleged abuse. It has been proposed that questioning child witnesses outside the courtroom detracts from the seriousness of the trial process and may decrease the likelihood that a child will reveal at trial that their testimony has been fabricated, if this is the case. However, Cashmore (1990) believes that even the youngest children would register the importance of trials involving the videolink procedure because the organisation of the courtroom and various court personnel would be shown to them via the television monitor in their room.

As stated previously, child witnesses may be interviewed many times by different people before their allegations reach court. In addition to causing stress and confusion, multiple interviews may negatively impact on the in-court testimony of children because repetition may result in decreased spontaneity of evidence production (MacFarlane, 1985). This may lead to evidence contamination claims being made by defence counsel, regardless of whether or not such contamination has actually occurred. Research results have been somewhat conflicting in this area. One experiment suggested that children remember more when asked to recall an event on two occasions than those who are questioned using one delayed interview (Hudson, 1990).

However, the quality of the recalled information needs to be considered. For example, Moston (1987) conducted an experiment which found that the number of correct responses was reduced as a result of repetition for children aged six to ten but not the number of incorrect responses. Moston concluded that children deliberately altered replies when the question was repeated after a one-day delay because repetition of information after such a delay does not negatively affect children's evidence (Dent & Stephenson, 1979).

Videodepositions have been advanced as a means of preventing contamination of evidence by reducing the amount of pre-trial interviewing (Australian Law Reform Commission, 1990). The number of interviews conducted may be reduced by the joint use of the videodeposition but for this to be practical, there needs to be a reconciliation of therapeutic and legal interviewing requirements (Cashmore, 1990). In particular, asking directed questions to get a child to communicate may result in an interviewer being challenged in court over the reliability of the information gained.

The second major potential benefit of out-of-court videodepositions according to Cashmore (1990) is their greater reliability as evidence due to the fact that they involve the earliest and most spontaneous report of the abusive events. This benefit impacts directly on the courts while being of indirect benefit to children through the greater likelihood of just decisions being made. It is common for long periods of time to elapse between the reporting of an event to police and trial proceedings.

Although the memory capacity of children as young as three or four years has been more favourably viewed by researchers (Davies, Flin & Baxter, 1986), it has recently been shown that children may experience memory difficulties more than adults when a long time has elapsed between the storage and retrieval of information. This is reflected in a reduction over time in their ability to remember details accurately, particularly peripheral ones (Brainerd & Ornstein, 1991). The inevitable delay in a case reaching trial means that the child's memory of the event may be affected by references made by others and rationalisations which may serve to contaminate the original account (Loftus, 1979).

The availability of videotape technology is seen by some as providing the opportunity for a record to be made of the child's earliest first-hand account of abuse. This procedure is conducted soon after allegations have been made, while details of the event are still fresh in their memory. This record of evidence can then be shown at trial as a means of overcoming the negative effects on testimony quality from the long delays which frequently are experienced between the initial allegations and the court case (Davies, 1988; Spencer & Flin, 1990).

Another potential benefit of possessing a videotaped account of the allegations is that this may result in less pressure being applied to child witnesses to retract their statement by other family members (Bernstein & Claman, 1986). As Davies (1988) points out, if children retract their statement as a result of family pressure, as does sometimes happen, the videorecording of

the initial allegations could still be used to assess the quality of the original evidence.

Cashmore (1990) highlights the fact that the precise words used by the child are preserved by a videodeposition. While it is clear that defence assertions that children were coached or their evidence contaminated may be counteracted by examination of the interview, this may also be done, to some extent, with a written statement. However, the emphasis placed on particular words and phrases by both interviewer and child is not shown in a written record of statement. A potential problem associated with these videodepositions is that defence counsel may manipulate developmental differences in the child's vocabulary and account of the event which occur as a result of the long time frequently elapsing between the videotaping and the trial. These differences may be mistakenly seen as being evidence of inconsistent statements if these developmental changes are not understood (Cashmore, 1990). However, discrepancies between written records of interview and court-given evidence are already routinely attacked by defence counsel (Davies, 1988).

Another potential benefit of videodepositions is the possibility that guilty defendants who view these tapes may be encouraged to plead guilty, so avoiding the need for the child to give evidence in court. It may be that visually presented evidence of the child's allegations is more likely to have an impact on a defendant's decision regarding plea than verbal reports (Cashmore, 1990). However, Spencer and Flin (1990) have noted that this does not seem to occur except in cases in

which such tapes are admissible in evidence. Experimental validation of claims in this respect is lacking.

Evaluation of the videolink and videodeposition procedures has been conducted by Cashmore (1990) based on clinical experience but this has not involved an experimentally controlled comparison with other procedures. It is important to establish through extensive research that these proposed modifications in testimony presentation mode not only increase evidence reliability and reduce child witness stress but also that they do not unduly influence perceived child witness and defendant reliability (i.e. credibility) and verdicts.

Impact of Video Technology on Juror Perceptions

Given the long delays which commonly take place between making a statement to police and the matter coming to trial, Cashmore (1990) sees early videodepositions as having a potential advantage over court-given testimony in relation to juror perceptions. In contrast to written statements, a videotaped record shows children's appearance, including verbal and facial expressions, and gestures at the time they made the statement. This form of record may be important because children who allege abuse at the age of 9 or 10 may be 12 or 13 years of age by the time the case reaches court. Their more mature appearance may affect juror perceptions of them.

This is a straightforward way in which use of video technology in legal proceedings may affect juror perceptions of

witnesses. However, juror perceptions of witness credibility and subsequent conviction rates may also be affected by juror interpretation of changes in child witness testimony presentation mode and the judge's instructions regarding these modifications but in ways which are difficult to determine without extensive, well-planned empirical research.

Child Witness Testimony Presentation Mode

There have been few experimental studies which have looked at the effect of testimony presentation mode on juror perceptions of child witness and defendant credibility, and on conviction rates in child abuse trials. Use of protective measures (i.e. videodeposition, videolink or shield) in legal proceedings may affect juror perceptions of these factors. If jurors interpret the mode of testimony presentation as evidence of the implied guilt of the defendant through the child being seen as needing protection then it is likely that there will be a decrease in defendant credibility and a possible increase in conviction rates. Also, the interpretation of a protective measure as meaning that the child would experience fear and additional trauma if made to confront the defendant may likewise result in increased child witness credibility. Conversely, child witnesses' credibility may be negatively affected if jurors perceive them as being in need of protection due to their weak state and, therefore, as being less reliable witnesses. This view would perhaps result in a subsequent increase in defendant credibility and reduction in conviction rates.

Swim, Borgida and McCoy (1993) recently concluded from their research that use of videodeposition appeared not to be prejudicial to the defendant. That is, the likelihood of conviction was not increased by using videotaped testimony. Also, it did not have a significant effect on perceptions of the child witness. However, they found that it may impact on the proportion of prosecution and defence thoughts jurors have during the trial. Jurors who viewed the videodeposition believed that using videotape enhanced both the child's ability to testify and her psychological well-being. The defendant's absence was also seen as improving the child's psychological well-being but not ability to testify. When the child gave evidence in court, jurors rated court-given testimony as being harmful to both ability to testify and psychological well-being. The defendant's presence was seen as being harmful to the child but not to her ability to testify. Jurors who viewed the videodeposition believed that its use did not adversely affect the defendant's case. Swim et al.'s study did not, however, investigate the effect of the videolink procedure on juror perceptions and subsequent conviction rates.

To further examine the effect of presentation mode on witness credibility and conviction rates, Ross, Hopkins, Hanson, Lindsay, Hazen and Eslinger (1994) recently conducted a study which involved mock jurors viewing a videotape simulation of a child sexual abuse trial. The 10-year-old child witness testified in one of three different ways. Evidence was either given in court in the presence of the defendant, in court with a shield positioned between the child and the defendant or outside the courtroom with the child's evidence presented to the court on a video

monitor. When the jurors were shown the whole trial, the evidence presentation mode did not affect juror perceptions of child witness and defendant credibility, nor conviction rates. However, when jurors were only shown the child witness' testimony, the presentation mode did have a significant effect on conviction rates, although again not on perceived witness credibility. Jurors in the court-given testimony condition were more likely to convict the defendant than those in either of the two conditions involving use of protective measures.

The study by Swim et al. (1993) involved judicial instructions in the videodeposition condition which told jurors not to consider why a videotape was being used. The shield and video monitor conditions in experiment 1 of the study by Ross et al. (1994) also incorporated a judge's instruction to the jury, just prior to the child testifying, which stated that the use of the protective device in court was not evidence of the defendant's guilt and that it was important it not be seen by jurors to suggest guilt. Although judges are not obligated in any American State to instruct juries not to make inferences from the use of videotaped evidence (Thumann, 1989), such an implied guilt warning has been given by the judge in real court cases when protective measures have been taken (*Coy v. Iowa*).

To examine the effect of such a judge's instruction, Ross et al. (1994) manipulated the presence or absence of the implied guilt warning in the protective device conditions in experiment 2 of their study. When they found that this warning had no impact on conviction rates, the researchers collapsed this manipulation

and did not analyse further to determine if the warning affected child witness or defendant credibility. It should be noted that experiment 2 involved the videotaped trial being stopped after only the child witness had given evidence. Therefore, the effect of judicial instructions was only explored in this study in the context of one party to the proceedings giving evidence. It is important that the impact of the judge's instructions regarding testimony presentation mode on both witness credibility and verdicts be investigated using a more balanced and realistic trial because judicial instructions constitute another courtroom factor which has been shown to impact on juror perceptions of child witnesses.

Judicial Instructions

Judges may independently decide to instruct the jury to treat child witnesses' evidence with caution (Samuels, 1982) or may choose to do so at the request of either the defence or prosecution. These instructions may be neutral, requesting careful consideration of a witnesses' testimony, or they may be positive or negative. According to Goodman, Golding and Haith (1984), judges' instructions have involved such variables as child witness suggestibility, less mature cognitive abilities and lower perceived reliability than adults. The instructions which judges give jurors during a trial may impact greatly on the weight attached to child witness evidence and as a consequence, may affect the ultimate outcome (Leippe, Brigham, Cousins & Romanczyk, 1989). Since the judge is the 'highest' authority in the courtroom and has the last say before the jury retires for

deliberation, the judge's instructions to the jury may have a huge effect on juror perceptions as reflected in the deliberation process and subsequent verdicts (Isquith, Levine & Scheiner, 1993).

Research concerning inadmissible evidence has found that not only are jurors unable to disregard inadmissible material but that a judge's instruction to disregard may have unintended effects. For example, judicial instructions requiring jurors to disregard inadmissible evidence may backfire by sensitising jurors to this evidence (Wrightsmann, 1991). The findings of Wolf and Montgomery (1977) have suggested that jurors may view instructions to disregard as a threat to them being allowed to process all available evidence. They found that juror verdicts were influenced in the direction of testimony which the judge had specifically admonished jurors to disregard due to its inadmissibility in court. Furthermore, jurors who were instructed that they have no choice but to disregard certain testimony indicated a significantly greater desire to be permitted to consider the inadmissible evidence than did jurors who were simply informed that it was inadmissible. It cannot be assumed that jurors are capable of disregarding inadmissible evidence, particularly when such information may result in a conviction (Thompson, Fong & Rosenhan, 1981).

The reported findings show that a judge's instruction to jurors not to draw a conclusion of implied guilt from the use of protective measures in court may backfire by focusing juror attention on this aspect of the trial. They indicate that further research is needed concerning the impact on juror perceptions of

judicial instructions regarding child witness testimony presentation mode. With the proposed introduction of more wide-spread videolink and videodeposition use, such research becomes even more important.

The cited research indicates that using video technology in court may impact on juror perceptions of witness credibility if jurors interpret the child witness evidence presentation mode, and judicial instructions regarding it, in certain ways. However, it is not clear under what conditions certain interpretations are likely to occur because there are few controlled, experimental studies which have investigated juror perceptions of evidence presentation mode in child sex abuse trials and even less which have looked at the impact of judicial instructions regarding this modification to conventional court procedure. Theories of jury decision-making processes provide valuable information regarding how these two trial factors may be incorporated into the thinking of jurors.

Models for Jury Decision Making

Pennington and Hastie (1981) have outlined a generic model for jury decision-making which includes assessment of witness credibility by each juror, as one of seven distinct elements in the decision-making task. This assessment involves evaluation of a witness' character, demeanour and motivations, and the plausibility of witness statements, according to the juror's view of how the world operates. Factors which influence perceptions of credibility in other domains such as perceived trustworthiness,

competence (related to evidence), power and similarity to the juror would probably be used in the court setting as well. More case-specific elements include the 'fit' of the witness' demeanour and appearance in the part he or she plays in the scenario the juror is constructing. Another part of this process, which may be influenced by altering the mode of child witness testimony presentation and giving judge's instructions regarding it, is the information gained by jurors from trial events. This information may include off-the-record statements made by people involved in the trial and nonverbal cues such as those gained from the behaviour of witnesses or from the physical arrangement of the courtroom while particular witnesses testify. Individual differences in selective attention would explain the variation in juror attention to specific aspects of a trial.

Jurors' initial opinions are based on both pre-existing attitudes towards the criminal justice system and defendants, and on the judge's instructions regarding presumption of innocence. According to the sequential algebraic model (Hastie, 1993), each new item of evidence is weighed according to its perceived importance (eg. credibility of witness, evidence content) and is incorporated into the weight of current opinion. The judge's instructions regarding witness credibility and the trial events (witnesses, arguments, exhibits) affect the judgement of new pieces of evidence. As in the generic model, the mode of testimony presentation and the judge's instructions regarding it may impact on the information gained from the trial events.

Deliberation Effects

To further consider juror processing of information, it is also important to empirically evaluate the part deliberation plays in regard to juror perceptions. According to Leippe and Romanczyk (1987), jurors influence each other during the deliberation process in several ways. They share information, try to persuade other jurors to either consider or disregard elements of the case which are consistent or inconsistent with their view and by doing so, try to induce conformity to their own conclusions. Due to these processes, common results of jury deliberations, in both simulated and real juries, are shifts in attitudes toward greater extremes. Held beliefs are often magnified as a result of discussion (Myers & Lamm, 1976). Such polarisation of juror attitudes after deliberation in child sexual abuse cases has been noted in some recent studies (Duggan et al., 1989; O'Callaghan & Webb, 1992).

It appears that if jurors' beliefs about children's inability to give credible evidence or about the reasons why the child would be giving evidence in certain ways are not addressed in court, then jury deliberation is likely to amplify them. However, as has been discussed, warning jurors not to interpret the child's testimony presentation mode in a particular way may have unintended effects on juror perceptions of child witness and defendant.

Conclusions

The research reviewed suggests on the whole that video technology has a beneficial role to play in protecting child witness psychological well-being and enhancing ability to testify in child abuse trials. The literature in these areas is reasonably extensive and includes both clinical and psycho-legal material. The ability of children to testify has also been the focus of experimental research, where ethically and legally possible. For example, the nature of childrens' memories has been empirically investigated and discussed as it relates to the factors which affect a child's ability to testify. However, while theories have also been advanced concerning the impact of video technology, and judicial instructions regarding it, on juror perceptions of witness credibility and on conviction rates in these cases, there is a lack of experimentally controlled research in this area. The cited theoretical and empirical research has indicated that juror perceptions may be influenced by the use of video technology in presenting child witness evidence in legal proceedings and that judicial instructions regarding it may further impact on these perceptions.

Directions for Future Research

This review has identified the need to further investigate the effect from two modifications in mode of testimony presentation (videodeposition and videolink compared with court-given) and the presence or absence of judicial instructions regarding the presentation mode upon juror perceptions of child witness

credibility, defendant credibility and defendant guilt. The effect of a child witness being present in court with the jury or absent from court on juror reactions cannot be examined when a videotape of the court-given testimony is involved. Rather, assessment can be made of the impact of jurors knowing that the child witness was permitted to give evidence out of the courtroom and away from the physical presence of the defendant, upon their opinions regarding child witness and defendant credibility and on decisions regarding the verdict.

Research needs to determine whether or not these protective measures result in jurors being inherently prejudiced against the child witness and/or the defendant because of their cognitions regarding the child being questioned out-of-court. In addition, the effect of jurors being instructed to disregard the testimony presentation mode as a factor in their evaluation of the child witness and defendant warrants investigation. The cited research has shown that drawing juror attention to the mode of testimony presentation may defeat the intended purpose in giving the instructions to disregard it. While it would be hoped that the modifications to child witness testimony presentation make no difference to juror perceptions of witnesses or to guilt ratings, further research is needed before any firm conclusions can be made in this regard.

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**Child witness and defendant credibility:
Child witness evidence presentation mode and
judicial instructions**

Journal Article

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Abstract

This study investigated the effect of child witness testimony presentation mode (court-given/videodeposition/videolink), judicial instructions (present/absent) regarding the latter two 'nontraditional' presentation modes and deliberation stage (pre/post) on juror ratings of child witness credibility, defendant credibility and defendant guilt. It also explored juror perceptions of the impact of presentation mode on the witnesses, juror task and justice. Participant-jurors (N=108) viewed a videotape of a simulated child sex abuse trial involving one of five conditions. Juror ratings of overall child witness credibility were found to be significantly more positive when child witness evidence was either given by videodeposition or in the courtroom than when it was given via videolink. In addition, the defendant was seen as being more definitely guilty when child witness testimony was court-given than when it was given by videodeposition or videolink. There were also significant main effects for presentation mode on juror perceptions of impact on the child witness, the defendant's case and on juror task. In contrast, the judge's instructions only affected juror ratings of child witness speech style but did interact with the other independent variables. After deliberation, juror ratings of child witness consistency and maturity were significantly less positive than they were pre-deliberation. These findings are discussed in relation to previous research and their implications for future research and psycho-legal practice are outlined.

**Child witness and defendant credibility:
Child witness evidence presentation mode and
judicial instructions**

The criminal justice system has been under increasing pressure in recent times to modify court procedure to better deal with child witness evidence. In 1994, there were 404 child sexual abuse cases reported in Tasmania alone. The testimony of children is vital in such cases because often they are the only witnesses to the crime (Goodman, Aman & Hirschman, 1987). Yet up until recently children were expected to give evidence in the formal courtroom environment while confronting the person that they alleged had abused them. The belief that giving such evidence in court may adversely affect the psychological well-being of children and their subsequent ability to provide the courts with useful, accurate testimony (Goodman, Levine, Melton & Ogden, 1991) has led to the establishment of modifications in legal procedure. Amendment to the Evidence Act was made in Tasmania (1995), following similar legislation in other Australian States and Territories. This legislation permits the use of video technology in the courtroom, altering the mode in which testimony by child witnesses may be received.

There are several roles that video may play in the presentation of child witness testimony. A first role involves use of a 'videodeposition' which is evidence videotaped either at preliminary hearings or out-of-court soon after an allegation has been made (Cashmore, 1990). Another role of video involves examination of the child witness through closed circuit television

linked to the court trial (termed '*videolink*'). These two presentation modes have been introduced with the aim of making an adult legal system less potentially traumatic for children. However, it is not only important to establish that these newly introduced modes of presentation impact positively on child witnesses but also that they do not negatively affect juror perceptions of witness credibility and/or verdicts.

Negative stereotypes concerning the behavioural and cognitive abilities of children are already widely held by adults. Research has shown that behaviourally, children are viewed to have less powerful speech styles (Leippe & Romanczyk, 1987) and less confidence (Goodman, Golding, Helgeson, Haith & Michelli, 1987). Cognitively, children are considered to have less reliable memories (Cole & Loftus, 1987; King & Yuille, 1987), to be more susceptible to suggestion (Goodman, Golding & Haith, 1984; Goodman & Reed, 1986), to have less internal consistency and to be less able to distinguish fact from fantasy (Goodman et al., 1984). These stereotypes result in a general bias against adults viewing children as credible witnesses (Goodman et al., 1984; Goodman et al., 1987b). It is not known what impact on these already biased juror perceptions may result from allowing the child witness to give evidence outside the courtroom.

These modes of presentation which remove children from the courtroom may have negative effects on the perceived quality of their evidence for many reasons. In particular, MacFarlane (1985) expressed concern that jurors may infer that the testimony of a more relaxed child witness either has been 'learnt'

or that the alleged abuse did not psychologically and emotionally harm the child. This more relaxed state would be expected as a result of being in less inhibiting, more comfortable surroundings. It is also possible that the removal of the child from the courtroom and away from the defendant may be taken to imply the guilt of the defendant. Another concern is that jurors may have difficulty assessing child witness demeanour depending on how well they can see the witness and may also not be able to accurately judge the age and size of a child who is testifying via videolink (Australian Law Reform Commission, 1992). Unfortunately, the present state of the literature does not permit much more than speculation to be made regarding the possible effect of testimony presentation mode on juror perceptions of child witness and defendant credibility, and on conviction rates. There have been few experimental studies which have examined these factors.

One study which recently investigated the effect of presentation mode on witness credibility and conviction rates was conducted by Swim, Borgida and McCoy (1993). They found that the rate of guilty verdicts did not vary for three of four charges according to whether the 8-year-old child testified in court or by videodeposition. It was only on the charge of criminal sexual assault in the first degree that jurors in the court-given testimony condition were significantly more likely to convict the defendant than those in the videodeposition condition. The higher conviction rate for court-given testimony occurred despite the fact that jurors who viewed the videodeposition reported having more proprosecution thoughts during the trial than jurors who

saw the child give evidence in court. Swim et al. concluded that videodeposition use appears to not be prejudicial to the defendant. That is, the overall likelihood of conviction was not increased by using a videodeposition mode for presenting the child's testimony. They also found that it did not have a significant effect on perceptions of the child witness. That study did not investigate the effect of the videolink procedure on juror perceptions and subsequent conviction rates.

In regard to juror perceptions of videodeposition impact on the court experience of child witnesses, Swim et al. found that jurors believed that using a videodeposition enhanced both the child witness' ability to testify and psychological well-being. In particular, the defendant's absence was seen as improving the child's well-being but not ability to testify. Court-given testimony was seen as being harmful to both the child's ability to testify and her psychological well-being. The defendant's presence was viewed as being harmful to the child's well-being but not to her ability to testify. Lastly, jurors in the videodeposition condition believed that its use did not adversely affect the defendant's case.

The effect of testimony presentation mode on witness credibility and conviction rates was further examined by Ross, Hopkins, Hanson, Lindsay, Hazen and Eslinger (1994). They found that when shown the entire trial, the testimony presentation mode (court-given / video monitor / shield) did not affect juror perceptions of the 10-year-old child witness and defendant credibility, nor conviction rates. However, when only the child

witness testimony was shown, the presentation mode did significantly affect conviction rates, although again not perceived witness credibility. Jurors who viewed court-given evidence were more likely to convict than those in either of the two protective measure conditions. That study did not include a videodeposition presentation mode condition.

The study by Swim et al. (1993) incorporated judicial instructions in the videodeposition condition telling jurors not to consider why a videotape was being used. To examine the effect of giving such a judge's instruction, Ross et al. (1994) manipulated the presence or absence of a warning not to view the use of protective devices as being evidence of the implied guilt of the defendant. They found that this warning had no impact on conviction rates when jurors viewed only the child's testimony. However, additional research is needed to examine the effect of the judge's instructions regarding testimony presentation mode on witness credibility, in conjunction with conviction rates, when a more balanced, realistic trial, that being one which incorporates testimony from both prosecution and defence witnesses, is used. The Ross et al. study examined the impact of the judge's instructions using a trial which only provided child witness testimony. Research investigating the impact of the judge's instructions is important because it constitutes a courtroom factor which has been shown to impact on juror perceptions of a child witness.

Judicial instructions which tell jurors to disregard the child witness testimony presentation mode as evidence may influence

juror perceptions in unexpected ways. Research regarding inadmissible evidence has found that a judge's instruction may have unintended effects. Instructions requiring jurors to disregard inadmissible evidence may sensitise jurors to this evidence (Wrightsmen, 1991), possibly due to these instructions being viewed as a threat to jurors processing all available information (Wolf & Montgomery, 1977). Wolf and Montgomery found that not only were juror verdicts influenced in the direction of testimony which the judge had specifically admonished them to disregard but that telling them they had no choice but to disregard certain evidence led to a significantly greater desire to be permitted to consider it. This was compared with jurors who were simply told that the testimony was inadmissible. As judges have the final say before jury deliberations occur, their instructions may have a large effect on juror perceptions as reflected in the deliberation process and subsequent verdicts (Isquith, Levine & Scheiner, 1993).

Research has also indicated that the common result of jury deliberations, in both simulated and real juries, are shifts in attitudes toward greater extremes. Such polarisation of juror attitudes after deliberation in child sexual abuse cases has been noted in some recent studies (Duggan, Aubrey, Doherty, Isquith, Levine & Scheiner, 1989; O'Callaghan & Webb, 1992). This research suggests that if juror beliefs about children not being able to provide credible evidence or about the reasons why the child would be giving evidence in particular ways are not addressed in court, then jury deliberation is likely to amplify them. However, this is not a straightforward issue because, as

has been discussed, warning jurors not to view the child's testimony presentation mode as evidence may increase the likelihood that it is considered and the resulting interpretations may potentially influence juror perceptions of child witness and defendant.

The present study begins to address these issues by examining the effect of testimony presentation mode (videodeposition and videolink compared with court-given testimony) on juror perceptions of child witness credibility, defendant credibility and defendant guilt. It also looks at the effect of presence or absence of judicial instructions regarding testimony presentation mode on the above juror perceptions and considers the impact of jury deliberation on perceptions. As in past research, this study involves a videotaped simulation of a child sexual abuse trial. Using such videotape of court-given testimony means that the effect of a child witness being present in court with the jury or absent from court on juror reactions cannot actually be assessed. However, what is investigated is the impact of jurors knowing that the child witness was allowed to testify outside of the courtroom and away from the physical presence of the defendant, upon their perceptions of witness credibility and decisions regarding verdict.

A prosecution argument predicts that child witness credibility will increase, defendant credibility decrease and conviction rates possibly increase as a result of altering the child witness testimony presentation mode. This may occur if jurors interpret the use of protective measures (videodeposition and

videolink) as meaning that the child would experience fear and additional trauma from confronting the defendant, and see the child being protected in this way as evidence of defendant guilt. Conversely, a prodefence argument states that child witnesses will be less credible if jurors perceive the use of video technology as meaning that children need protection due to their weak state and, therefore, see them as less reliable witnesses. This view may subsequently result in increased defendant credibility and reduced conviction rates.

The present study made the following predictions in the light of these two alternative arguments and previous research. These predictions were two-tailed because there has been insufficient previous research to allow the formulation of one-tailed hypotheses.

(1). The mode of testimony presentation (court-given, videodeposition and videolink testimony) would result in different ratings of (a) child witness credibility, defendant credibility and defendant guilt, and (b) the effect of testimony presentation mode on child psychological well-being and ability to testify, effect on the defendant case, on juror task (more positively or negatively effected) and on the degree to which justice was believed to be met by the trial.

(2). When judicial instructions regarding a 'nontraditional' testimony presentation mode (videodeposition, videolink) are given, jurors would rate the child witness credibility, the

defendant credibility and the defendant guilt differently from those jurors not exposed to judicial instructions.

(3). There would be changes in juror ratings of child witness and defendant credibility, and defendant guilt after the deliberation process.

Method

Participants

Participant-jurors ($N = 108$) were 92 undergraduate students, receiving course credit, and 16 citizens recruited through experimenter acquaintance. All participants were eligible for jury service but only two had prior jury experience. Ages ranged from 18 to 52 with a mean age of 23. Juror age did not differ significantly between presentation mode conditions, $F(2,105) = .046$, $p > .05$ (Appendix A1) nor between judge's instruction conditions, $F(1,68) = .966$, $p > .05$ (Appendix A2). Female participants comprised 66.6 percent of the sample. Less than one-fifth (16.7 percent) of participants reported having children of their own.

Design

Testimony presentation mode effect: presentation mode (court-given / videodeposition / videolink) and deliberation stage (pre / post) were varied in a 3 X 2 factorial design. Judicial instructions were collapsed across the latter two presentation modes.

Judicial instruction effect: judicial instructions (present / absent), presentation mode (videodeposition / videolink) and deliberation stage (pre / post) were varied in a 2 X 2 X 2 factorial design. Judicial instructions were only relevant to videodeposition and videolink use, so this variable was not applied to the court-given condition.

The independent variables of presentation mode and judicial instructions were manipulated between participants and deliberation stage within participants. The dependent variables were juror ratings of child witness credibility, defendant credibility and defendant guilt on pre- and post-deliberation scales.

Materials

Videotaped trial.

A simulated sexual abuse trial involving a youthful 13-year-old in the role of an 11-year-old female witness was videotaped (transcripts of this trial are contained in Appendix B). All trial conditions comprised the same description of charge and opening statements by both lawyers (Appendix B1). Participants viewed one of three videotaped forms of the trial in which the child witness was either examined and cross-examined in the courtroom (Appendix B2), by videodeposition (Appendix B3) or by videolink (Appendix B4). The defendant testimony was the same for all trial conditions (Appendix B5). The videodeposition examination of the child witness was conducted by a female psychologist. Three practicing female barristers acted roles in the

trial. Two played opposing counsel and the third played the judge. All of the trial, with the exception of the videodeposition examination, was videotaped in a former law court building. Each videotaped trial was about 20 minutes in duration.

The trials involving video technology contained the judge's instructions explaining the specific mode of testimony presentation being used. Within these specific judicial instructions there was a statement which told jurors how they should perceive the child's form of testimony presentation. This statement, which was either present in or absent from the trials involving videolink or videodeposition, was as follows:

"There are many reasons why a witness cannot come into the courtroom. It is of no concern to you why the witness is not here in the presence of the defendant. Consider the evidence they give in the same way you would were they present in court."

The evidence was based on actual court cases, with the testimony content held constant while the independent variables were manipulated. The child witness was protected from stress by use of a script (questions and answers) which contained no sexually explicit material. The child's innocuous answers to that script were then later interleaved with questions related explicitly to the sexual aspects of the case. The study received full approval from the University of Tasmania Human Experimentation Ethics Committee. A consent form was completed by each participant in the trial (Appendix B6).

The sound quality and picture resolution were comparable for each of the videotaped trial conditions. However, the child witness was inevitably further away from the camera when she gave evidence via videolink than when testimony was provided by videodeposition or in the courtroom. The videolink condition involved a videotape of the child giving evidence on a video screen in the courtroom, whereas the court-given condition involved a videotape of the child giving evidence in the courtroom and the videodeposition condition involved a videotape of the child witness giving evidence in a room outside of the court. The difference in child witness distance was necessary in order to show the videolink setup in the courtroom. Such differences occur in the actual courtroom use of video procedures.

Recording equipment

Video-editing of the trial was conducted using the Sony Video 8 EVO-720P system.

Juror response forms:

The first response form requested demographic information (juror age and sex), parental status and jury experience to establish comparability across experimental conditions (Appendix C1). On a second set of response forms, jurors rated their perceptions of seven components of the child witness' credibility (confidence, consistency, speech style, reliability of memory, suggestibility, ability to distinguish fact from fantasy, maturity) plus overall credibility. They also rated the defendant's overall credibility and guilt or innocence. Responses were made using

scales ranging from 1 to 5 (Appendix C2). The third response form asked jurors to rate the degree to which the child's psychological well-being and ability to testify, as well as the degree to which the defendant's case and their task as a juror, were affected by the child giving evidence in the way she did (scales ranging from more negatively to more positively). Jurors were also asked to rate the degree to which they believed justice was met during the trial (Appendix C3).

Procedure

Participant-jurors were assigned to one of five experimental conditions. The court-given condition comprised six groups of six jurors. The remaining four conditions (videolink/videodeposition, present/absent instructions) each comprised three groups of six jurors. Brown (1986) reviewed relevant studies and concluded that neither deliberation quality nor verdict is affected by use of six-person juries in research as an alternative to those involving 12 people. Each experimental condition comprised a mix of university students and private citizens. A controlled jury-gender ratio of four females and two males was adopted to suit participant availability and to maintain comparability across groups.

Each jury viewed the recorded trial under simulated courtroom conditions. On arrival participants were allocated a number between 1 and 6 which facilitated the matching of pre- and post-deliberation response forms. Participants were again told that they would be acting as jurors in a sex abuse case. It was explained that the videotaped case comprised examination

and cross-examination of a child witness and of a defendant, and statements made by both prosecution and defence counsel. Participants were told that they would be required to make ratings concerning perceptions of evidence. Jurors were also instructed that they would deliberate as a group for 20 minutes discussing any aspects of the case they considered important in reaching a decision regarding guilt or innocence of the defendant. Any questions were then answered before each juror completed a consent form which confirmed the procedures to be followed (Appendix C4).

Each jury was shown the videotaped trial corresponding to a particular experimental condition. Jurors then completed the first and second set of response forms (general juror information and ratings of child characteristics and overall credibility, defendant credibility and defendant guilt). Jurors then deliberated for 20-minutes before repeating the second set of response scales, in addition to a final response form (effect of testimony presentation mode on the child witness psychological well-being and ability to testify, defendant's case and juror task). Debriefing followed and any questions were answered.

Results

Juror ratings were scored by allocating a value to each point along the 5-point scales. The highest scores indicated the most positive ratings of characteristics and credibility or the most definite innocence of the defendant. Effects which reached the 0.05 level were considered significant.

Preliminary analysis: Deliberation stage

The change in juror ratings from pre- to post deliberation was not significant when analysed in relation to the three testimony presentation modes (court-given / videodeposition / videolink) $F = 1.21$, $p > .05$ (One-way MANOVA). Separate analyses of variance (ANOVAs) showed that deliberation stage had no impact on defendant credibility or guilt. The only effect on a central dependent variable was an interaction one with presentation mode for overall child witness credibility within the videodeposition and videolink presentation mode conditions (Appendix D1). Therefore, it was decided that the data did not warrant further analysis for deliberation stage in relation to the three presentation modes because videodeposition and videolink were involved in another analysis along with the judge's instructions. That analysis did need to include deliberation effects because there were significant changes in ratings after deliberation related to these two variables $F = 2.615$, $p = .01$ (two-way MANOVA - Appendix D2).

A one-way multivariate analysis of variance (MANOVA) was conducted to examine any main effect of presentation mode (court-given, videodeposition and videolink) in relation to juror perceptions of witness credibility and another conducted to examine juror perceptions of the impact on witnesses, juror task and justice. Separate univariate analyses of variance (ANOVAs) were used to show the effect for each dependent variable. Post-deliberation ratings were analysed, when repeated measures had been taken, because these have more ecological validity than ratings made before the deliberation process (Appendix D3). The

judge's instructions data were collapsed across this variable within the videodeposition and videolink conditions for this analysis.

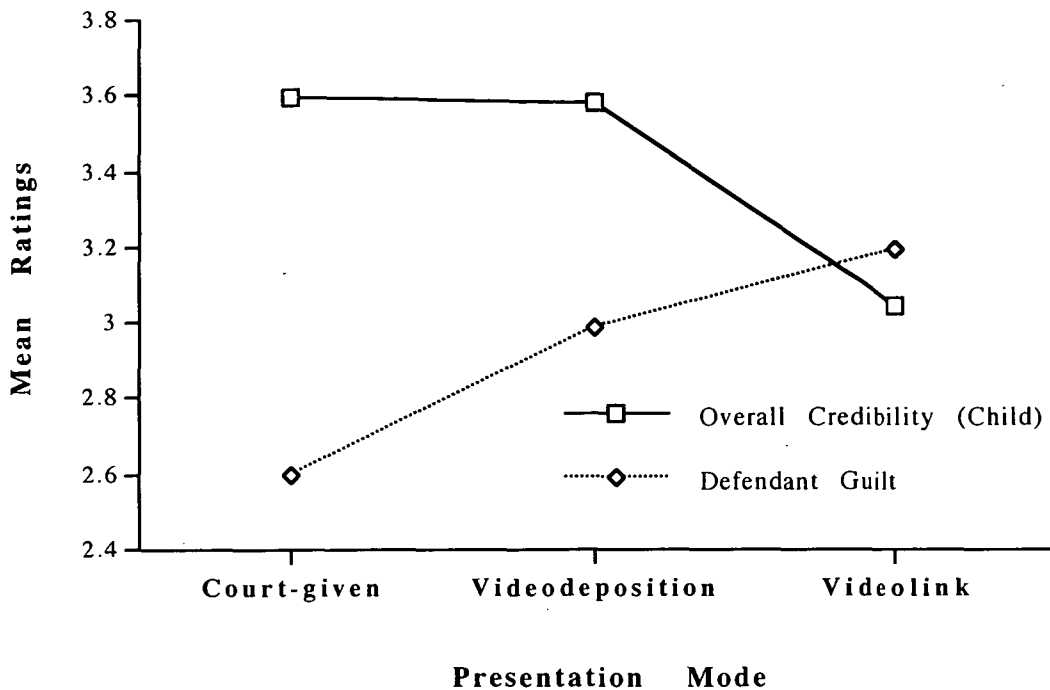
The judge's instructions data were reinstated for the next analysis which examined the effects of testimony presentation mode (videodeposition / videolink), the judge's instructions (present / absent) and deliberation stage (pre / post). Separate univariate analyses of variance (ANOVAs) were conducted to examine the effect for each dependent variable looking at juror perceptions of witnesses (MANOVA not possible with repeated measures). A two-way MANOVA and separate ANOVAs were conducted to examine juror perceptions of the impact on witnesses, juror task and justice. (Appendix D4).

Analysis 1 - Presentation Mode

This analysis (N=108) examined the effect of presentation mode on juror perceptions of the witnesses and on perceptions of the impact on witnesses, juror task and justice.

Juror perceptions of the witnesses

There was a significant main effect for presentation mode $F = 1.69, p < .05$. Specifically, the effects for presentation mode on juror perceptions of overall child witness credibility $F(2,105) = 5.72, p < .01$ and defendant guilt $F(2,105) = 5.76, p < .01$ were significant (see Figure 1).



Note. Higher overall child witness credibility and more definite innocence of the defendant = higher ratings, lower overall child witness credibility and more definite defendant guilt = lower ratings.

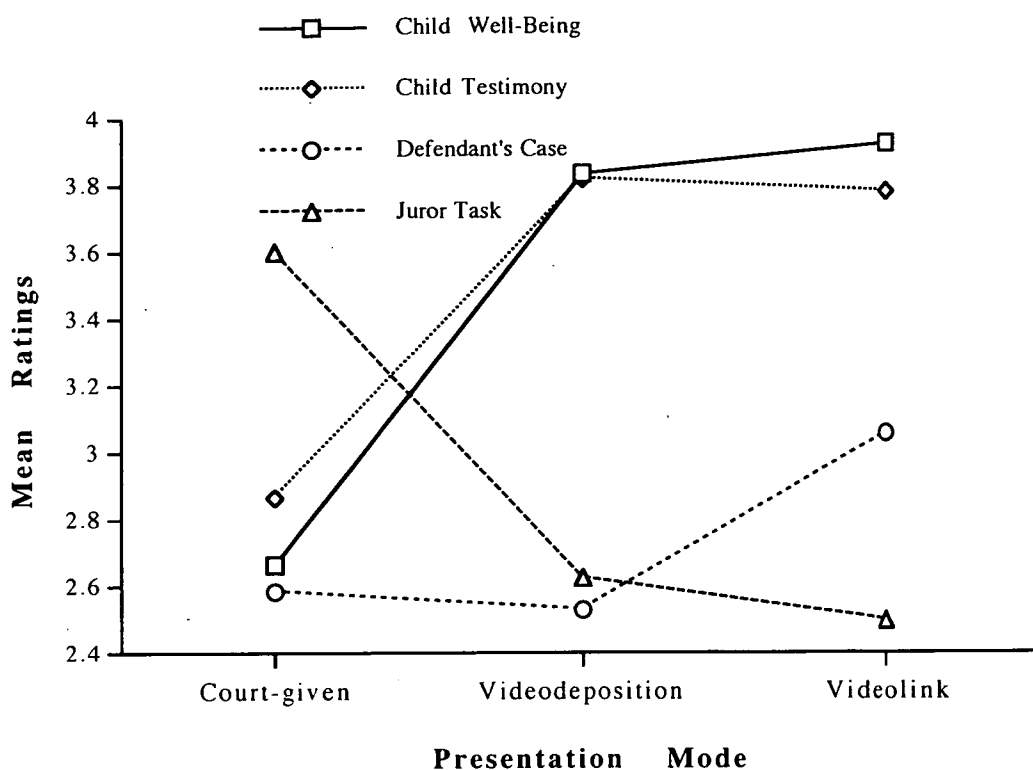
Figure 1. Mean juror ratings of overall child witness credibility and defendant guilt according to presentation mode (post-deliberation).

The juror ratings of overall child witness credibility were higher when testimony was court-given or by videodeposition than when videolink was used. Post hoc analysis revealed significantly higher overall credibility ratings when testimony was court-given rather than via videolink $F = 8.79, p < .01$ and when it was given by videodeposition rather than via videolink $F = 8.36, p < .01$. There was no significant difference in these ratings between court-given and videodeposition testimony.

Furthermore, jurors rated the defendant as more definitely guilty when child witness testimony was in the court-given mode. Post hoc analysis showed significantly more guilty ratings when the child witness gave evidence in court than when it was either given by videodeposition $F = 4.74, p < .05$ or via videolink $F = 11.18, p < .01$. There were no significant presentation mode main effects for juror ratings of any specific components of child witness credibility - confidence, consistency, speech style, memory, suggestibility, ability to distinguish fact from fantasy and maturity - nor for ratings of overall defendant credibility.

Perceptions of Impact on Witnesses, Juror Task and Justice

There was a significant main effect for presentation mode on juror perceptions of impact on witnesses, juror task and justice $F = 11.62, p < .01$. Specifically, presentation mode was seen to significantly impact on the degree to which the child witness' psychological well-being was affected $F(2,105) = 30.90, p < .01$, degree to which the child witness' ability to testify was affected $F(2,105) = 14.29, p < .01$, degree to which the defendant's case was affected $F(2,105) = 3.63, p < .05$ and degree to which the juror's task was affected $F(2,105) = 15.05, p < .01$ (see Figure 2).



Note. Child well-being refers to psychological well-being and child testimony refers to child ability to testify, defendant's case refers to effect of presentation mode on defendant's case and juror task refers to effect of presentation mode on juror ability to carry out his or her task (more positive effects = higher ratings, more negative effects = lower ratings).

Figure 2. Mean juror ratings of presentation mode effect on child psychological well-being and ability to testify, and on defendant's case and juror task.

The child witness' psychological well-being and ability to testify were seen by jurors to be more positively affected when either of the 'nontraditional' testimony presentation modes were used than when testimony was court-given. Post hoc analysis revealed that the psychological well-being ratings were significantly higher when videolink rather than court-given testimony was used $F = 49.425$, $p < .01$ and also, when videodeposition rather than court-given testimony was used $F = 43.05$, $p < .01$. The same was true

for ratings of child witness ability to testify, with significantly higher ones when testimony was given by videodeposition rather than in court $F = 22.37, p < .01$ and also, when testimony was given by videolink rather than in court $F = 20.46, p < .01$.

The defendant's case was seen by jurors to be more positively affected when child witness testimony was given via videolink than when it was court-given or by videodeposition. Post hoc analysis showed that these ratings were significantly higher when videolink was used rather than when the child's evidence was either court-given $F = 4.81, p < .05$ or by videodeposition $F = 6.01, p < .05$.

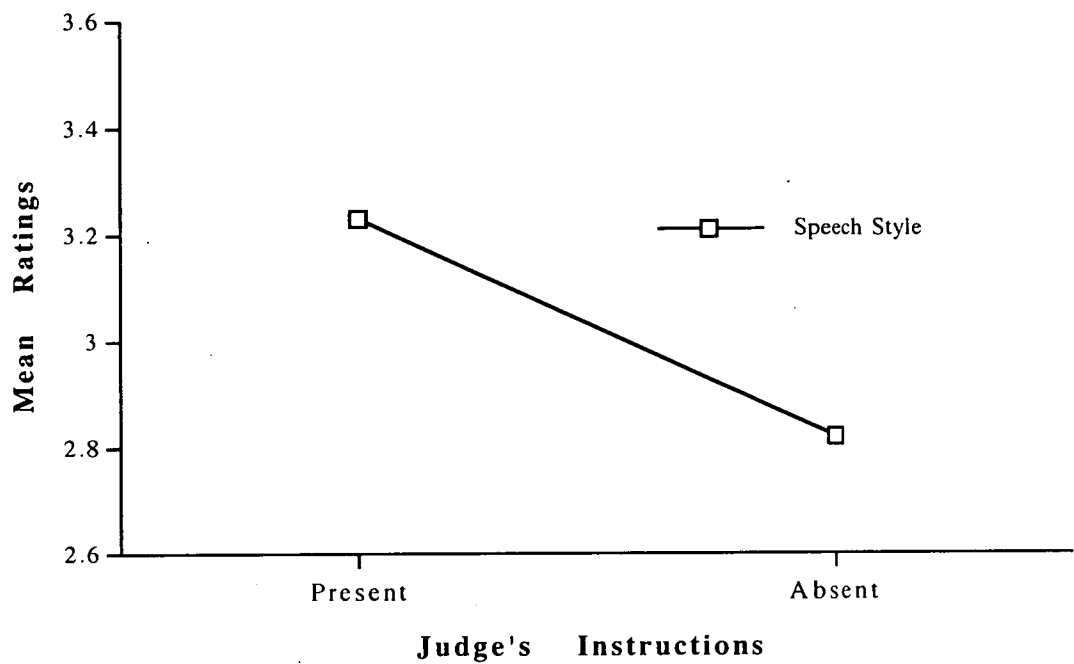
The juror task was believed to have been more positively affected when child witness testimony was court-given rather than by videodeposition or videolink. Post hoc analysis revealed that these ratings were significantly higher when evidence was court-given than either by videodeposition $F = 19.72, p < .01$ or via videolink $F = 25.115, p < .01$. There was no significant presentation mode main effect for juror ratings of the degree to which justice was met by the trial.

Analysis 2

This analysis ($N=72$) examined the effect of presentation mode (videodeposition / videolink), judge's instructions (present / absent) and deliberation stage (pre / post) on juror perceptions of the witnesses and on perceptions of the impact on witnesses, juror task and justice.

Judicial Instructions

There was a significant main effect for the judge's instructions on juror perceptions of child witness speech style $F(1,68) = 5.62, p < .05$ (see Figure 3).



Note. Higher ratings = more powerful child witness speech style, lower ratings = more powerless child witness speech style.

Figure 3. Mean juror ratings of child witness speech style according to the judge's instructions.

Ratings of the powerfulness of child witness speech style were significantly more positive when the judge's instructions were present in the trial rather than absent from it. There were no significant judicial instructions main effects for any other juror rating of the witnesses.

However, there was a significant main effect for the judge's instructions on juror ratings of impact on witnesses, juror task and justice $F = 2.57, p < .05$. Separate analyses of variance showed that this main effect did not occur for any of the individual ratings.

Presentation Mode and Judicial Instructions

There was a significant interaction for presentation mode and the judge's instructions on juror ratings of impact on witnesses, juror task and justice $F = 4.915, p < .01$. Specifically, the interaction effects for presentation mode and the judge's instructions on juror perceptions of the degree to which the child witness' psychological well-being was affected $F(1,68) = 11.51, p < .01$ and degree to which the child witness' ability to testify was affected $F(1,68) = 4.75, p < .05$ were significant (see Figure 4).

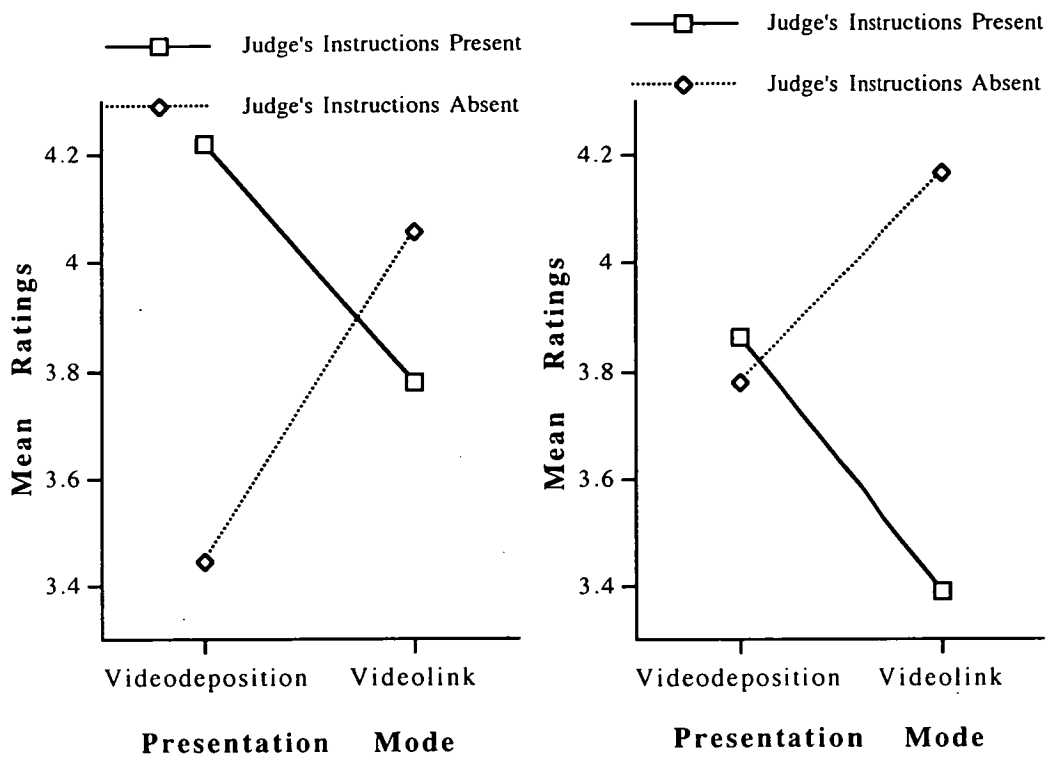


Figure 4a.
Child well-being

Figure 4b.
Child testimony

Note. Child well-being refers to psychological well-being and child testimony refers to child ability to testify (more positive effects = higher ratings, more negative effects = lower ratings).

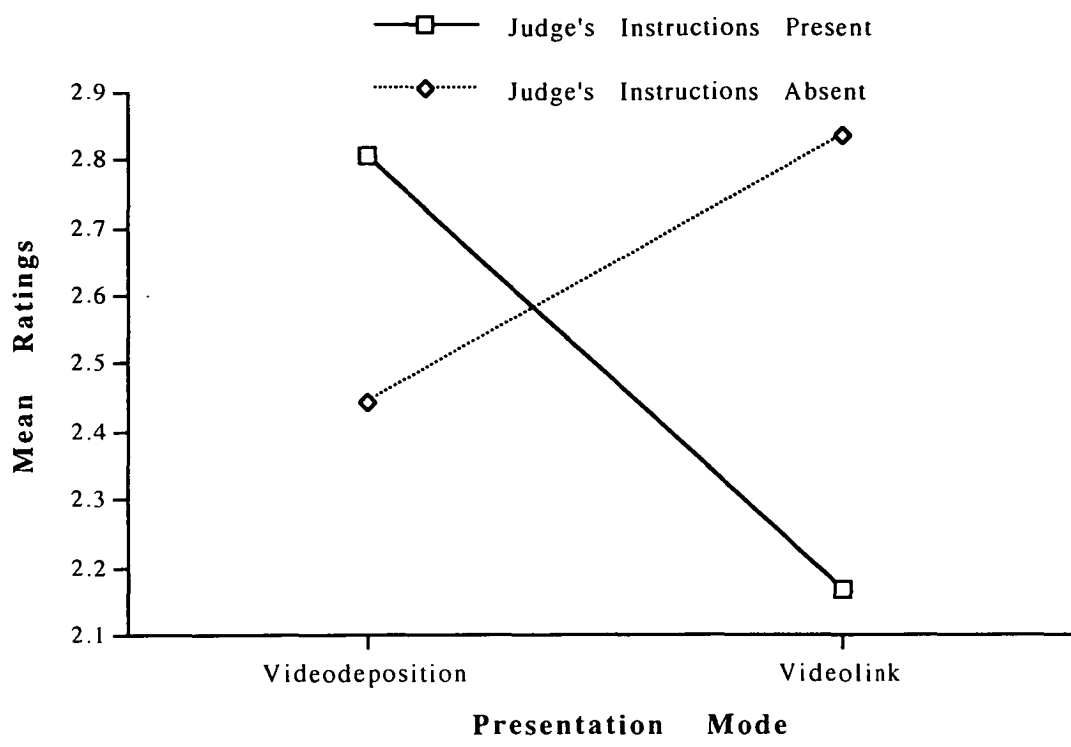
Figure 4. Mean juror ratings of presentation mode and the judge's instructions effect on child psychological well-being and ability to testify.

Post hoc analysis revealed that the juror ratings of child witness psychological well-being were significantly more positive in the videodeposition condition when the judge's instructions were present rather than absent $F_{(1, 10)} = 12.50, p < .01$. They were also significantly more positive with the judge's instructions present

when the child witness gave evidence by videodeposition rather than via videolink $F = 4.08, p < .05$ and alternatively, with the judge's instructions absent when evidence was given via videolink rather than by videodeposition $F = 7.72, p < .01$.

Post hoc analysis also showed that the only significant difference in juror ratings of child witness ability to testify was for the videolink condition, with significantly more positive ratings when the judge's instructions were absent from rather than present in the trial $F = 7.75, p < .01$.

There was also a significant interaction for presentation mode and the judge's instructions on juror perceptions of the degree to which the juror's task was affected $F(1,68) = 6.10, p < .05$ (see Figure 5).



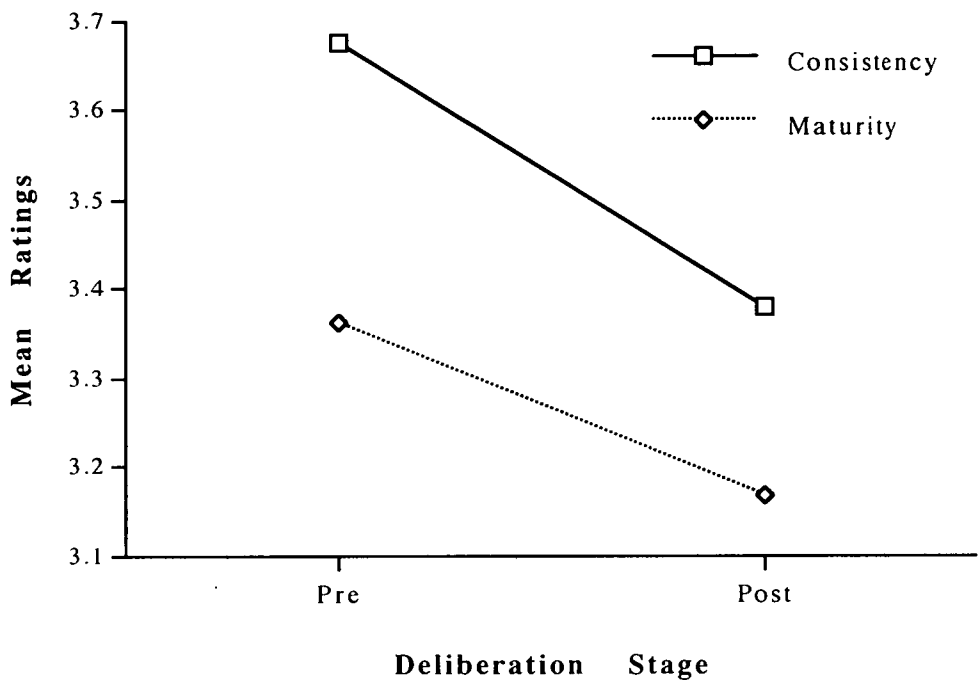
Note. Juror task refers to the effect of presentation mode and judge's instructions on juror ability to carry out his or her task (more positive effect = higher ratings, more negative effect = lower ratings).

Figure 5. Mean juror ratings of presentation mode and the judge’s instructions effect on juror task

The jurors rated the effect on their task as being significantly more positive in the videolink condition when the judge’s instructions were absent rather than present $F = 5.13, p < .05$. Post hoc analysis also showed that with the judge’s instructions present in the trial, jurors saw their task as significantly more positively affected when child witness testimony was given by videodeposition rather than via videolink $F = 4.71, p < .05$. There were no significant interactions between presentation mode and the judge's instructions for any other juror ratings.

Deliberation Stage

There were significant main effects for deliberation stage only on juror perceptions of child witness consistency $F(1,68) = 9.73, p < .01$ and maturity $F(1,68) = 4.67, p < .05$ (see Figure 6).



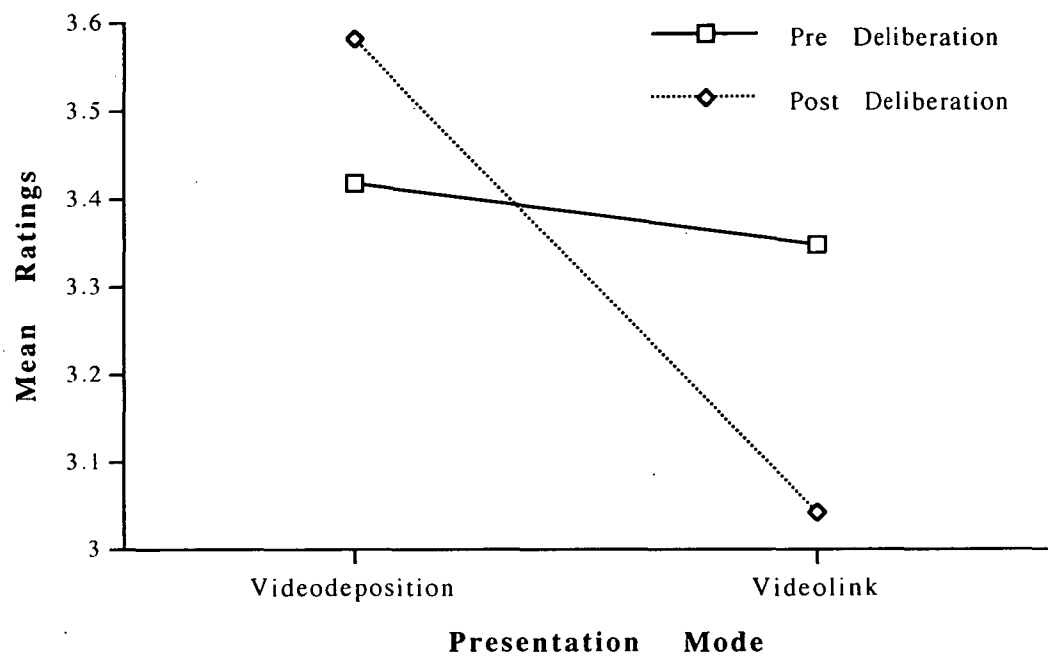
Note. Higher ratings = more consistent child witness testimony and more mature child witness, lower ratings = more inconsistent child witness testimony and more immature child witness.

Figure 6. Mean juror ratings of child witness consistency and maturity according to deliberation stage.

Ratings of child witness consistency and maturity were both significantly more positive pre-deliberation than they were post-deliberation. There were no significant deliberation stage main effects for any other juror ratings.

Presentation Mode and Deliberation Stage

There was a significant interaction for presentation mode and deliberation stage on juror perceptions of overall child witness credibility $F(1,68) = 8.00, p < .01$ (see Figure 7).



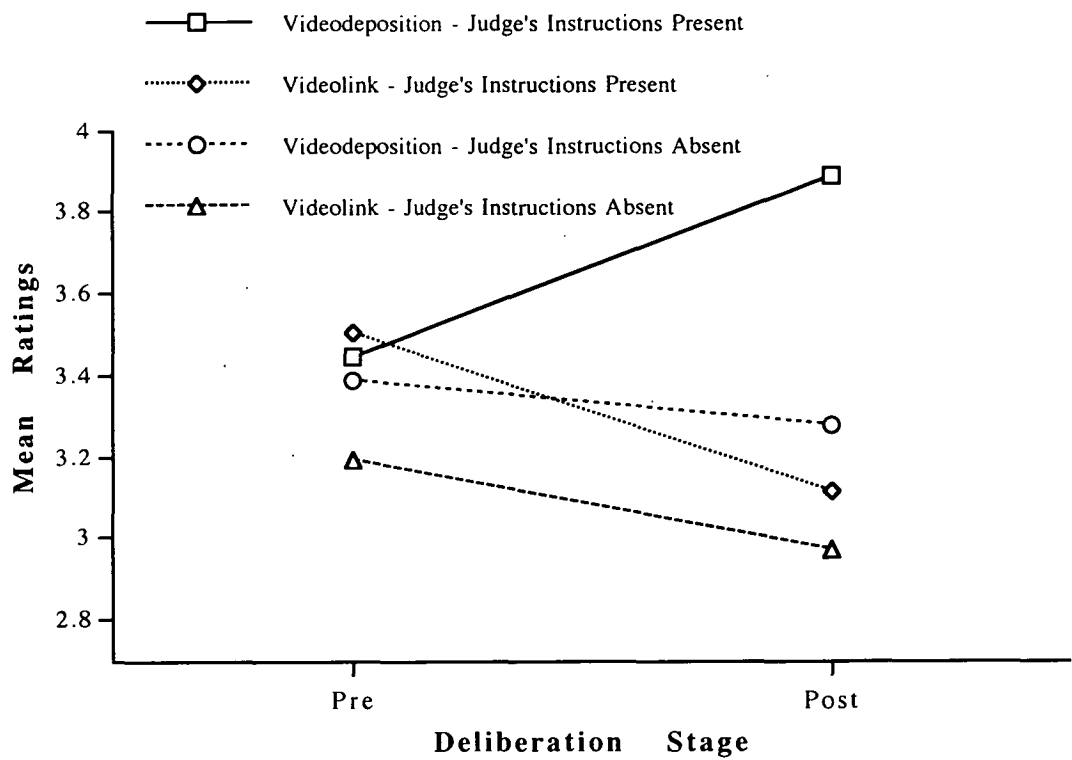
Note. Higher ratings = higher overall child witness credibility, lower ratings = lower overall child witness credibility.

Figure 7. Mean juror ratings of overall child witness credibility according to presentation mode and deliberation stage.

For the videolink condition, ratings were higher pre-deliberation than they were post-deliberation. The opposite was the case for the videodeposition condition. There were no significant interactions between presentation mode and deliberation stage for any other juror ratings.

Presentation Mode, Judicial Instructions and Deliberation
Stage

There were significant interactions for presentation mode, the judge’s instructions and deliberation stage on juror perceptions of overall child witness credibility $F(1,68) = 4.68, p < .05$ (see Figure 8).

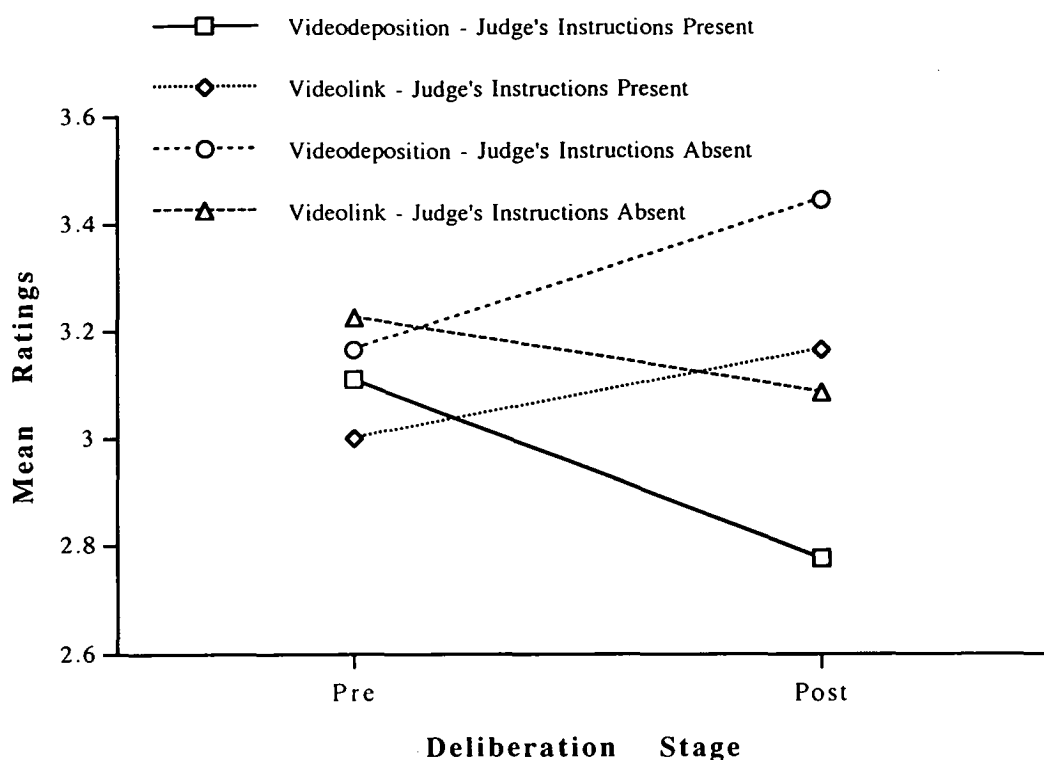


Note. Higher ratings = higher overall child witness credibility, lower ratings = lower overall child witness credibility.

Figure 8. Mean juror ratings of overall child witness credibility according to presentation mode, the judge’s instructions and deliberation stage.

This significant three-way interaction is an extension of the two-way interaction which also incorporated presentation mode and deliberation stage for juror ratings of overall child witness credibility. It appears that credibility increased from pre- to post-deliberation when the child gave evidence by videodeposition and the judge's instructions were present.

There was also a significant interaction for presentation mode, the judge's instructions and deliberation stage on juror ratings of overall defendant credibility $F(1,68) = 7.56, p < .01$ (Figure 9).

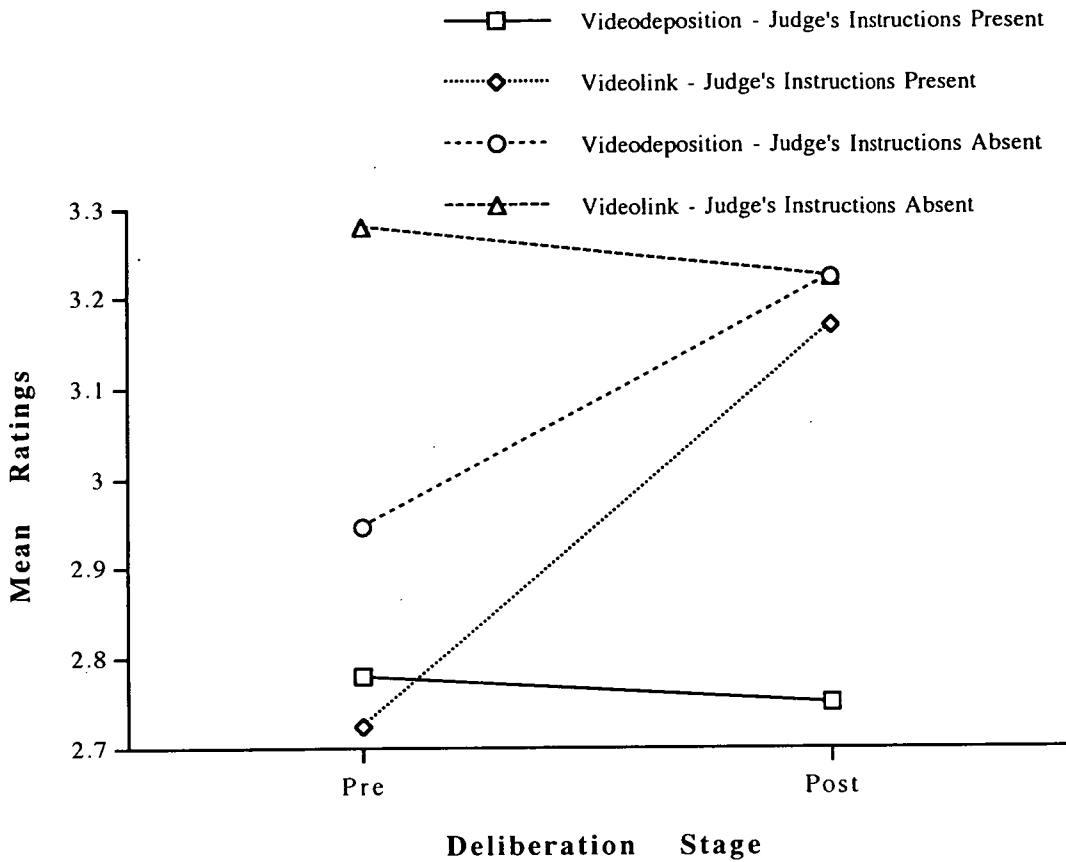


Note. Higher ratings = higher overall defendant credibility, lower ratings = lower overall defendant credibility.

Figure 9. Mean juror ratings of overall defendant credibility according to presentation mode, the judge's instructions and deliberation stage.

This figure shows that juror ratings of defendant credibility increased from pre- to post-deliberation in the videodeposition condition when the judge's instructions were absent and in the videolink condition when instructions were present.

There was also a significant interaction for presentation mode, the judge's instructions and deliberation stage on juror ratings of defendant guilt $F(1,68) = 5.80, p < .05$ (Figure 10).



Note. More definite innocence of the defendant = higher ratings, more definite guilt of the defendant = lower ratings.

Figure 10. Mean juror ratings of defendant guilt according to presentation mode, the judge's instructions and deliberation stage.

Figure 10 shows that the defendant was thought to be more innocent after deliberation than before it when the judge's instructions were absent from the videodeposition condition and when instructions were present in the videolink condition. There were no significant interactions between presentation mode, the judge's instructions and deliberation stage for any other juror ratings.

Discussion

This study hypothesised that juror ratings of child witness credibility would be different depending on the mode of testimony presentation. The results confirmed this hypothesis with significantly lower ratings of overall credibility when the child witness gave evidence via videolink than when testimony was either given by videodeposition or in the courtroom. This finding contrasts with that of Ross et al. (1994) who found no effect on child witness credibility from using videolink compared with court-given testimony. It replicates, however, the finding by Swim et al. (1993) of no effect on child witness credibility from videodeposition use compared with court-given evidence. The present study furthers research by allowing a comparison of videodeposition and videolink use.

It is possible that, in this study, the child witness was seen by jurors as being less credible in the videolink mode than giving evidence in court because of needing protection due to being a weak and therefore, less reliable witness. Protection was perhaps the most obvious reason why she was present in the courthouse but giving videolink evidence rather than in the courtroom, whereas there are other reasons which may have been seen to account for her videodeposition evidence being used in the trial. This may explain why videodeposition use also resulted in higher overall credibility ratings than videolink.

Another theory arises from the fact that the juror view of the child witness in this study was the least clear when she gave

evidence via videolink. The concern raised by the Australian Law Reform Commission (1992) about the possibility of jurors finding it difficult to assess the demeanour of child witnesses who testify by videolink may have been a real issue in the present study. Jurors may have had difficulty seeing subtle changes in facial expression and as a result viewed the testimony of the child witness with suspicion or may have been conservative in their ratings of overall child witness credibility due to uncertainty.

This study also hypothesised that there would be different juror ratings of defendant credibility and defendant guilt according to the mode of testimony presentation. This hypothesis was partially confirmed with the defendant being seen as more definitely guilty when child witness testimony was court-given than when it was given by videodeposition or videolink. This finding was inconsistent with those of Ross et al. who found that, when a trial with balanced evidence was used, testimony presentation mode (videolink / shield/ court-given) did not affect conviction rates. Swim et al. found that for only one of four charges were jurors more likely to convict. Interestingly in this study, when jurors convicted they were more likely to do so when testimony was court-given rather than by videodeposition, indicating that videodeposition appears not to be prejudicial to the defendant. The findings of the present study also suggest that neither videodeposition nor videolink appear to be prejudicial to the defendant but they did result in the defendant being seen as more definitely innocent.

It is interesting that the hypothesis regarding defendant credibility was not upheld. That is, the defendant's credibility was not affected by the child witness testimony presentation mode. This finding is consistent with the results of Ross et al. when balanced evidence was given. It appears from the present study that modifications in court procedure which change child witness credibility can affect defendant guilt, even when defendant credibility is not altered.

The results regarding presentation mode effect on witness credibility and conviction rates have been discussed but it was also hypothesised that juror perceptions of the impact on the child witness psychological well-being and ability to testify would be different according to the presentation mode, as would the defendant's case, the juror task and ratings of justice being met. This hypothesis was upheld on almost all counts except that there was no significant difference in ratings of justice being met by the trial. Jurors in both Swim et al. (1993) and the present study believed that using a videodeposition enhanced both the child witness' psychological well-being and ability to testify, compared with court-given testimony which was harmful to both factors. The present study found that videolink use also enhanced these factors compared with court-given evidence.

Swim et al. found that jurors did not see videodeposition use as adversely affecting the defendant's case, as did the present study. However, in this study the defendant's case was seen as being significantly enhanced when the child gave evidence via videolink than when she testified by videodeposition or in court.

This may relate to the fact that she was seen as being least credible when testifying by videolink. The juror task was seen as being most positively affected by the child giving evidence in court than by either videodeposition or videolink. Therefore, the best trial procedures for the child were seen as being least in the interests of jurors performing their task. The less positive effect of videolink on the juror task also supports the earlier theory that videolink may not have clearly presented the child witness to jurors.

This study also hypothesised that juror ratings of child witness credibility, defendant credibility and defendant guilt would be different depending on the judge's instructions. This hypothesis was not upheld with there being no significant judicial instructions main effect for any juror ratings other than that of speech style. Child witness speech style was seen as being significantly more powerful when the judge's instructions regarding the testimony presentation mode were given. However, the judge's instructions did interact with presentation mode to affect perceptions of child psychological well-being and ability to testify, as well as juror task. The juror ratings of child well-being were significantly more positive when instructions were present in rather than absent from the videodeposition condition. They were also more positive with the judge's instructions present when the child witness gave evidence by videodeposition rather than via videolink and alternatively, with the judge's instructions absent when evidence was given via videolink rather than by videodeposition. Ratings of child witness ability to testify were also more positive when the

judge's instructions were absent from rather than present in the videolink condition but while also being opposite in the videodeposition condition, this difference did not reach significance. The judge's instructions also interacted with presentation mode and deliberation stage to influence ratings of witness credibility and defendant guilt.

The final prediction was that there would be changes in juror ratings of child witness credibility, defendant credibility and defendant guilt after the deliberation process. This hypothesis was rejected with the only significant main effects for presentation mode being on juror perceptions of child witness consistency and maturity. Both these ratings were significantly more positive pre-deliberation than they were after deliberation. Therefore, it can be concluded that deliberation processes alone in this study did not have much impact on juror ratings other than the two described. However, deliberation stage did interact with presentation mode and the judge's instructions to influence the primary variables of child witness overall credibility, defendant credibility and defendant guilt.

In summary, the present study replicated the findings of Swim et al. (1993) in that videodeposition use compared with court-given evidence had no effect on child witness credibility. The findings of both studies suggested that videodepositions do not appear to be prejudicial to the defendant but that they may result in the defendant being viewed as more definitely innocent. Jurors in these studies also believed that using a videodeposition enhanced both the child witness' psychological well-being and

ability to testify, compared with court-given testimony which harmed both factors. Furthermore, videodeposition use was seen as not adversely affecting the defendant's case. In contrast, the findings regarding videolink use largely contrasted with those of Ross et al. (1994). Unlike jurors in the study by Ross et al., jurors in the present study rated the child witness as significantly less credible when she gave evidence via videolink than in court. They also saw the defendant as more definitely innocent when videolink was used rather than court-given evidence. However, the defendant's credibility was not affected by the child witness testimony presentation mode in either study.

The results of the present study suggest that altering the mode of child witness testimony presentation may impact on important variables such as the child witness overall credibility and on conviction rates. The most concerning aspect of these findings were in regard to the use of videolink. This mode of presentation requires further research to determine exactly what factors may lower child witness credibility and result in the defendant being seen as less definitely guilty. One possibility would be the replication of the present study in a few years when the general population is more familiar with the videolink and videodeposition procedures. While jurors viewed the modifications in presentation mode as being better for the child witness in terms of psychological well-being and ability to testify, they also saw them as making their task as a juror more difficult. Research is needed to determine the nature of these difficulties and the conditions under which they arise, so that changes in court procedure are not prejudicial to any of the parties involved.

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Appendices

- A. Age in Experimental Conditions**
- B. Transcripts of Videotaped Trial**
- C. Juror Response Forms**
- D. Scored Data**

Appendix A

Age in Experimental Conditions

(1). Presentation Mode Conditions

(2). Judicial Instruction Conditions

Appendix A

Age in Experimental Conditions

(1). Presentation Mode Conditions

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	7.463	3.731	.046	.9548
Residual	105	8474.639	80.711		

Dependent: Age

Means Table
Effect: Presentation Mode
Dependent: Age

	Count	Mean	Std. Dev.	Std. Error
Courtgiven	36	24.000	9.908	1.651
Videodeposition	36	23.944	8.760	1.460
Videolink	36	23.417	8.199	1.366

Appendix A

Age in Experimental Conditions

(2). Judicial Instruction Conditions

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	1	5.014	5.014	.069	.7934
Judge's Instructions	1	39.014	39.014	.538	.4657
Presentation Mode * Judge's Instructions	1	70.014	70.014	.966	.3292
Residual	68	4929.611	72.494		

Dependent: Age

Means Table

Effect: Presentation Mode
Dependent: Age

	Count	Mean	Std. Dev.	Std. Error
Videodeposition	36	23.944	8.760	1.460
Videolink	36	23.417	8.199	1.366

Means Table

Effect: Judge's Instructions
Dependent: Age

	Count	Mean	Std. Dev.	Std. Error
Present	36	22.944	7.675	1.279
Absent	36	24.417	9.169	1.528

Means Table

Effect: Presentation Mode * Judge's Instructions
Dependent: Age

	Count	Mean	Std. Dev.	Std. Error
Videodeposition, Present	18	22.222	5.976	1.409
Videodeposition, Absent	18	25.667	10.770	2.539
Videolink, Present	18	23.667	9.191	2.166
Videolink, Absent	18	23.167	7.334	1.729

Appendix B

Transcripts of Videotaped Trial

(1). Description of Charge Opening Statements

- All Experimental Conditions

Child Witness Testimony Examination and Cross-Examination

(2) Court-given Condition

(3) Videodeposition Condition (Inc. Judge's Instructions)

(4) Videolink Condition (Inc. Judge's Instructions)

(5). Defendant Testimony Examination and Cross-Examination

- All Experimental Conditions

(6). Trial Participant Consent Forms

Appendix B

Transcripts of Videotaped Trial

(1). Description of Charge Opening Statements

- All Experimental Conditions

THE QUEEN VS. PATRICK MICHAEL MURPHY

Presiding Judge: Her Honour, Justice Hargraves

Counsel for the Prosecution: Ms. Smith

Counsel for the Defence: Ms. Morris

Witnesses:

Jane Michell Murphy (11 yrs).....Victim of alleged sexual assault

Patrick Michael Murphy.....Defendant and father of Jane Murphy

Additional Court Personnel:

Bailiff

(videodeposition condition only)

Ms. Williams..... Interviewer (child protection board psychologist)

Mrs Mitchell.....Jane's teacher

(Summary of Offence)

Bailiff: The Queen against Patrick Michael Murphy.

Ms. Smith presents the case for the Prosecution,

Ms. Morris the case for the defence.

Her Honour, Justice Hargraves presides. All rise.

(Judge enters and sits. All others sit).

Bailiff: The accused, Patrick Michael Murphy, is charged with the crime of statutory rape, in that he did unlawfully have sexual intercourse with the young person, Jane Michell Murphy, on or about the 7th day of April, 1994.

Judge Hargraves: Ms. Smith, would the prosecution like to address the jury with an opening statement?

Ms. Smith: (rises) Yes, your Honour. Members of the jury, the outcome of this case will undoubtedly have serious impact on the life and happiness of a young child. Patrick Murphy stands accused of statutory rape, in that he had unlawful sexual intercourse with his daughter, Jane Murphy. You need only to be satisfied that sexual intercourse took place, that Jane is under the age of 17 years, and that the accused is responsible. There is no question that Jane Murphy is under the age of 17 years of age and I believe that her testimony will have no reasonable doubt in your mind that sexual intercourse did occur with her father, Patrick Murphy. (sits)

Judge Hargraves: Thank you, Ms. Smith. Ms. Morris, does the defence wish to address the jury with an opening statement?

Ms. Morris: Yes, your Honour. (rises) Members of the jury, I am sure you can understand the enormous impact that being falsely accused of sexual abuse, particularly of one's own child, has on the reputation and life of a man. In order for my client to be found guilty of statutory rape, you must be convinced beyond any reasonable doubt that he committed the offence. Doubt will arise as a result of it becoming clear to you that the child's testimony has been subject to the considerable effects of suggestion. This realisation, combined with the denial of Patrick Murphy that any sexual contact took place, will leave you with no alternative but to render a verdict of not guilty. (sits)

Judge Hargraves: Thank you, Ms. Morris.

Appendix B

Transcripts of Videotaped Trial

Child Witness Testimony Examination and Cross-Examination

(2) Court-given Condition

(Dialogue in **bold** was edited from the trial)

Judge Hargraves: Ms. Smith?

Ms. Smith: The prosecution calls Jane Michell Murphy.

Bailiff: Jane Michell Murphy.

Examination (by Prosecution Counsel)

(1). **Ms Smith:** Hello, Jane. I've got some questions to ask you.....is that OK?

Jane: (nods)

(2). **Ms Smith:** How old are you, Jane?

Jane: 11

(3). **Ms Smith:** Do you have any brothers or sisters, Jane?

Jane: No.

(4). **Ms Smith:** So who lives at your place?

Jane: Just Mum. Dad used to be at home, but he moved out and lives at New Town now.

(5). **Ms Smith:** How long ago did Dad move out?

Jane: Oh..I dunno..months ago..I think it was just after Christmas.

(6). **Ms Smith:** Sometime in January..about ten months ago?

Jane: Hmm...I think so.

(7). **Ms Smith:** Have you seen your Dad since he moved out?

Jane: Yeah..a few times.

(8) **Ms. Smith:** About how often?

Jane: I used to spend every second weekend with him.

(9). **Ms Smith:** When you stayed with your Dad, was there anyone else living there with him?

Jane: No, there was just me and Dad there.

(10). **Ms. Smith:** Now, Jane...I want you to try and remember the last weekend you spent with your Dad. Do you remember that?

Jane: Yes.

(11). **Ms. Smith:** And when you talk to us about that weekend, you know you've got to tell us the truth?

Jane: Yes.

(12). **Ms. Smith:** Do you know what the truth is?

Jane: Yes.

(13). **Ms. Smith:** Do you know what lies are?

Jane: Yes.

(14). **Ms. Smith:** What's a lie?

Jane: I ate some cake and said I didn't.....that's a lie.

(15). **Ms. Smith:** What happens if you don't tell the truth?

Jane: I get into trouble from Mum.

- (16). **Ms. Smith:** Now, Jane, I would like you to tell me a little about what happened the last time you stayed with your Dad. Do you remember what you had to eat?

Jane: Well....On this Saturday, Dad and I went out to get hamburgers to eat and when we got back Dad made some popcorn, and we ate the popcorn with honey while we watched T.V....they were really good...the hamburgers...and the popcorn....and then at about nine o'clock Dad said it was time for bed, and so I went off to bed but I must've woken up in the middle of the night, 'cause my legs were really hurting....it was what Mum called cramp.

- (17). **Ms. Smith:** You'd had cramp before, had you, Jane?

Jane: Yes.

- (18). **Ms. Smith:** How did you make it go away?

Jane: Mum would rub my legs really hard...sometimes with oily stuff.

- (19). **Ms. Smith:** What about the night you got cramp at your Dad's? What did you do then?

Jane: I got out of bed and went into the next room, and Dad was watching T.V....and I told him my legs were really hurting and....and then he put big cushions together...down on the floor....and said I should lie down while he got some oil to rub my legs....and then he rubbed my legs real hard...just like Mum does...

- (20). **Ms. Smith:** You were telling me earlier that you have a toy pussy cat that you cuddle up to in bed. Did you have your pussy cat with you when Dad was trying to make your legs feel better?

Jane: Yes.

- (21). **Ms. Smith:** And did Dad rub your pussy cat's legs too?

Jane: Oh yes.....the lower parts of his legs....and then he rubbed up higher (pause)....

- (22). **Ms. Smith:** And you told me you fell asleep and had a strange dream...in which you had a sore tooth and your toy pussy cat also had a sore tooth, and Dad was in your dream dressed like a dentist. And did Dad check your pussy cat's mouth?

Jane: He put his fingers in. (pause).....in my pussy.....

- (23). **Ms. Smith:** So then in your dream your Dad looked at your sore tooth and put his finger on it. How did that feel?

Jane: Really bad. It hurt a lot.

- (24). **Ms. Smith:** And what did you do?

Jane: I screamed out and told him to stop.

- (25). **Ms. Smith:** What did Dad do then?

Jane: He started putting something bigger into me.....into my mouth....I dreamt that he started pulling the tooth....it was something like dentists use.....I don't know what it was...I couldn't see because he was on top of me. It really, really hurt.

- (26). **Ms. Smith:** What happened then?

Jane: It was awful. He moved up and down a bit, and when he got up. (pause).....the tooth was loose.....that's when I woke up.

(27). **Ms. Smith:** Did anything else happen?

Jane: When I was dreaming about the tooth, I must have waved my arms around and knocked the jar of honey off the table near me and it was all over the cushions and all over me.

(28). **Ms. Smith:** Oh! What did that feel like?

Jane: Yuck! There was sticky stuff all over me....all over my legs. Dad wiped it off and put my pyjamas back on.

(29). **Ms. Smith:** How did you feel afterwards? Was the cramp still hurting you?

Jane: Next day, it was still sore.

(30). **Ms. Smith:** Did you tell your Dad that you were still sore?

Jane: Yes, Dad said I should take a hot bath and he would buy me a chocolate.

(31). **Ms. Smith:** Did you tell anyone what happened (pause).about your dream and how you knocked the honey over everything?

Jane: No, not then. Dad said I shouldn't. He said I'd get into trouble and Mum would be mad with me.

(32). **Ms. Smith:** And later? Did you tell anyone later?

Jane: Yes.

- (33). **Ms. Smith:** Did you give Mum your pyjamas to wash?

Jane: No, I left them at the bottom of my cupboard...but Mum found them.

- (34). **Ms. Smith:** Did she ask how they got honey over them?

Jane: Yes, I told Mum I didn't want to get into trouble and I thought she mightn't want me to visit Dad any more. She asked "why", so I told her about it.

- (35). **Ms. Smith:** And what did she say?

Jane: She was really cross.

- (36). **Ms. Smith:** Do you think she was angry with you?

Jane: No, with Dad....I think. She said he should have washed my pyjamas before I came back home, and not left them for her to wash.

- (37). **Ms. Smith:** Did your Mum talk to your Dad about it?

- (37). **Ms. Smith:** Jane, do you know what the word "vagina" means?

Jane: Yes.

- (38). **Ms. Smith:** Does your Mum seem happier about what happened now?

- (38). **Ms. Smith:** Is that what you mean when you talk about your "pussy"?

Jane: Yes.

(39). **Ms. Smith:** Thank you, Jane. That's all I want to ask now.
That was a really funny dream, wasn't it!

Judge Hargraves: Ms. Morris?

Cross-Examination (by Defence Counsel)

(CE1). **Ms Morris:** (rises) Thank you, your Honour. Jane, on the night you were alone with Dad, you said you went to bed at nine o'clock. Is that right?

Jane: Yes.

(CE2). **Ms. Morris:** Do you remember what time it was when you woke up?

Jane: I don't know.

(CE3). **Ms Morris:** Jane, do you often have dreams?

Jane: Yes.

(CE4). **Ms Morris:** And do you sometimes dream about people you know, like Mum and Dad?

Jane: Yes.

(CE5). **Ms. Morris:** Have some of your dreams been happy dreams?

Jane: Yes.

(CE6). **Ms. Morris:** And have some of them been unhappy or nasty dreams?

Jane: Yes.

(CE7). **Ms. Morris:** Have you ever woken up in the middle of the night thinking that something terrible was happening..... only to find that it was a dream?

Jane: Yeah....sometimes.

(CE8). **Ms. Morris:** And those dreams can be very real, can't they?

Jane: Yes.

(CE9). **Ms. Morris:** And sometimes you can't tell whether it's a dream or real, can you?

Jane: Mmm!

(CE10).**Ms. Morris:** Do you usually tell Mum about your dreams?

(CE10).**Ms. Morris:** Has your mother talked a lot with you about what's happened?

Jane: Yes.

(CE11).**Ms. Morris:** Do you sometimes make up stories when you're at school?

Jane: In the classroom...yes. The teacher likes us to make up stories.

(CE12). **Ms. Morris:** Do you sometimes make up stories that are not true?

Jane: Yes. The teacher likes us to make up stories.

(CE13). **Ms. Morris:** And do you tell the teacher the stories that you make up?

Jane: Yes....and I write them down on paper.

(CE14). **Ms Morris:** Does the teacher like the stories that you write?

Jane: Yes.

(CE15). **Ms. Morris:** Do you sometimes make up stories when you tell other people?

Jane: Sometimes...but most of the time I tell the truth.

(CE16). **Ms. Morris:** But you don't always tell the truth?

Jane: (pause).....Only when I'm making up stories.

(CE17). **Ms. Morris:** Do you think you told Ms. Smith most of what happened in your dream?

(CE17). **Ms. Morris:** When you told your Mum you didn't want to visit your Dad any more, did you tell her everything that you have told Ms. Smith?

Jane:Think so.

(CE18). **Ms. Morris:** But you might have said something different.

Jane: (Pause)..Don't know.

(CE19). **Ms. Morris:** Have you ever visited the dentist with a sore tooth?

(CE19). **Ms. Morris:** Did you tell your Mum that your Dad had hurt you?

Jane: Yes.

(CE20). **Ms. Morris:** And your Mum asked you questions about that?

Jane: Yes.

(CE21). **Ms. Morris:** A lot of questions?

Jane: Yes.

(CE22). **Ms. Morris:** And did your mum ask you how long your tooth had been hurting?

(CE22). **Ms. Morris:** Did she ask you if your dad had put something in your bottom?

Jane: Yes.

(CE23). **Ms. Morris:** Had you already told her that....before she asked it?

Jane: Yes, I think so.

(CE24). **Ms. Morris:** Does Mum like going to the dentist to have her teeth checked?

(CE24). **Ms. Morris:** Or did your Mum ask you if that was how Daddy had hurt you?

Jane: Don't know!

(CE25). **Ms. Morris:** Has Mum told you about the time when she was a little girl, and the dentist hit a sore place on one of her teeth?

(CE25). **Ms. Morris:** Your Mum was very angry when you told her your dad had hurt you, wasn't she?

Jane: Yes.

(CE26). **Ms. Morris:** What did she do?

Jane: She was yelling and yelling....over and over....

(CE27).**Ms. Morris:** How about Dad!...Did he ever visit the dentist with a sore tooth when he was young?

Jane:I don't know.(pause)...about Dad.

(CE28). **Ms. Morris:** I think dentists have better instruments now, Jane...no-one needs to worry about a visit to the dentist. Thank you, Jane. I don't wish to ask any more questions now.

Judge Hargraves: Thank you, Ms. Morris..

Appendix B

Transcripts of Videotaped Trial

Child Witness Testimony Examination and Cross-Examination

(3) Videodeposition Condition

Inc. Judge's Instructions - those manipulated
(ie. present or absent) are in *italics*

(Dialogue in **bold** was edited from the trial)

Judge Hargraves: Ms. Smith, I understand that the child witness in this case, Jane Murphy, who has made the allegation of sexual assault will not be appearing in the courtroom, and that Jane's testimony has been prepared as a videotaped deposition. Is that correct?

Ms. Smith: (rises) That is so, your Honour. (sits)

Judge Hargraves: I should explain to the members of the jury that Jane was interviewed by Ms. Williams, a psychologist with the Child Protection Assessment Board, approximately two months after the allegation of sexual assault was first reported to the police. The law now allows for such an interview, if videotaped and subsequently deemed by a judge to be admissible as evidence, to stand as the examination in chief of the child.

The law also provides an opportunity for defence counsel to question the child before the trial at a special hearing in less formal circumstances than the courtroom setting, and the videotape of that examination may be admissible as cross-examination. At the hearing which I convened prior to the trial, defence counsel, Ms. Morris, was present and conducted her own examination of the child.

There are many reasons why a witness cannot come into the courtroom. It is of no concern to you why the witness is not here in the presence of the defendant. Consider the evidence they give in the same way you would if they were present in court.

Now, please direct your attention to the television screen located in front of you, on which Jane Murphy's image will appear. Ms. Smith, please show the court the videotaped interviews with Jane Murphy.

Examination (by Psychologist)

- (1). **Ms. Williams:** Hello, Jane, it's good to see you. I'd like to take some time to talk over some things with you....if that's O.K.?....Your Mum was telling me earlier that you've been in a skipping contest at school. Do you like skipping?

Jane: Yes.

- (2). **Ms. Williams:** I've got a niece and she loves to skip. She's learning to skip backwards. Can you do that?

Jane: Yep.

- (3). **Ms. Williams:** Tell me about some of the things you like to do when you're at home.

Jane: Oh....Drawing, riding horses.

- (4). **Ms Williams:** And where do you go to school, Jane?

Jane: At Bellerive.

- (5). **Ms. Williams:** What sort of things do you like to do at school?

Jane: Play games.

- (6). **Ms. Williams:** Does Mum take you to school and pick you up?

Jane: No, I walk. It's only a few streets away.

- (7). **Ms Williams:** How old are you, Jane?

Jane: 11

(8). **Ms Williams:** Do you have any brothers or sisters?

Jane: No.

(9). **Ms Williams:** So who lives at your place?

Jane: Just Mum. Dad used to be at home, but he moved out and lives at New Town now.

(10). **Ms Williams:** How long ago did Dad move out?

Jane: Oh..I dunno..months ago..I think it was just after Christmas.

(11). **Ms Williams:** Sometime in January..about six months ago?

Jane: Hmm...I think so.

(12). **Ms Williams:** Have you seen your Dad since he moved out?

Jane: Yeah..a few times.

(13) **Ms. Williams:** About how often do you think?

Jane: Ah....I used to spend every second weekend with him.

(14). **Ms Williams:** When you stayed with Dad, was there anyone else living there with him?

Jane: No, there was just me and Dad there.

(15). **Ms. Williams:** Now, Jane...I want you to try and remember the last weekend you spent with your Dad. Do you remember that?

Jane: Yes.

- (16). **Ms. Williams:** And when you talk to us about that weekend, you know you've got to tell us the truth?

Jane: Yes.

- (17). **Ms. Williams:** Do you know what the truth is?

Jane: Yes.

- (18). **Ms. Williams:** Do you know what lies are?

Jane: Yes.

- (19). **Ms. Williams:** What's a lie?

Jane: I ate a cake and said I didn't.....that's a lie.

- (20). **Ms. Williams:** And what happens if you don't tell the truth?

Jane: I get into trouble from Mum.

- (21). **Ms. Williams:** Now, Jane, I'd like you to tell me a little bit about what happened the last time you stayed with your Dad. Do you remember what you had to eat?

Jane: Well....On this Saturday, Dad and I went out to get some hamburgers to eat and when we got back Dad made some popcorn, and we ate the popcorn with honey while we watched T.V....ah.....they were real good...the hamburgers...and the popcorn.....and then at about nine o'clock Dad said it was time for bed, and so I went off to bed but I must've woken up in the middle of the night, 'cause I had real sore legs.....they were really hurting.... and...um...it was something Mum called cramp.

(22). **Ms. Williams:** You'd had cramp before, had you, Jane?

Jane: Yes.

(23). **Ms. Williams:** How did you make it go away?

Jane: Mum would rub my legs real hard...sometimes with oily stuff.

(24). **Ms. Williams:** What about the night you got cramp at your Dad's? What did you do then?

Jane: I got out of bed and went into the next room, and Dad was watching T.V....and I told him my legs were hurting real bad and he said that..I should.....then he got some big cushions together...down on the floor....and said I should lie down while he got some oil to rub on my legs...and then he rubbed my legs real hard...just like Mum did...

(25). **Ms. Williams** You were telling me earlier that you have a toy pussy cat that you cuddle up to in bed. Did you have your pussy cat with you when Dad was trying to make your legs feel better?

Jane: Yes.

(26). **Ms. Williams:** And did Dad rub your pussy cat's legs too?

Jane: Oh yes.....the lower parts of his legs....and then he rubbed up higher (pause)....

(27). **Ms. Williams:** And you told me you fell asleep and had a strange dream...in which you had a sore tooth and your toy pussy cat also had a sore tooth, and Dad was in your dream dressed like a dentist. And did Dad check your pussy cat's mouth?

Jane: He put his fingers in. (pause).....in my pussy.....

- (28). **Ms. Williams:** So then in your dream your Dad looked at your sore tooth and put his finger on it. How did that feel?

Jane: Really bad. It hurt a lot.

- (29). **Ms. Williams:** And what did you do?

Jane: I screamed and told him to stop.

- (30). **Ms. Williams:** What did Dad do then?

Jane: He started putting something bigger into me.....into my mouth....I dreamt that he started pulling the tooth....it was something like dentists use.....I don't know what it was...I couldn't see because he was on top of me. It really, really hurt.

- (31). **Ms. Williams:** What happened then?

Jane: It was awful. He moved up and down a bit, and when he got up. (pause).....the tooth was loose.....that's when I woke up.

- (32). **Ms Williams:** Did anything else happen?

Jane: When I was dreaming about the tooth, I must have waved my arms around and knocked the jar of honey off the table near me and it was all over the cushions and all over me.

- (33). **Ms Williams:** Oh! What did that feel like?

Jane: Yuck! There was sticky stuff all over my legs. Dad wiped it off and put my pyjamas back on me.

- (34). **Ms. Williams:** How did you feel afterwards? **Was the cramp still hurting you?**

Jane: Next day, it was still sore.

- (35). **Ms. Williams:** Did you tell Dad you were still sore?

Jane: Yeah, Dad said I should take a hot bath and he would buy me a chocolate.

- (36). **Ms. Williams:** Did you tell anyone what happened (pause)...about your dream and how you knocked the honey over everything?

Jane: No, not then. Dad said I shouldn't. He said I'd get into trouble and Mum would be mad at me.

- (37). **Ms. Williams:** And later? Did you tell anyone later?

Jane: Yes.

- (38). **Ms. Williams:** Did you give Mum your pyjamas to wash?

Jane: No, I left them at the bottom of my cupboard ...but Mum found them.

- (39). **Ms. Williams:** Did she ask how they got honey over them?

Jane: Yes, I told Mum I didn't want to get into trouble and I thought she mightn't want me to visit Dad anymore. She said "why", so I told her about it.

- (40). **Ms. Williams:** And what did she say?

Jane: She was really cross.

(41). **Ms. Williams:** Do you think she was angry with you?

Jane: No, Dad I think. She said he should have washed my pyjamas before I came back home, and not left them for her to wash.

(42). **Ms. Williams:** Did your Mum talk to your Dad about it?

(42). **Ms. Williams:** Jane, do you know what the word "vagina" means?

Jane: Yes.

(43). **Ms. Williams:** Does your Mum seem happier about what happened now?

(43). **Ms. Williams:** Is that what you mean when you talk about your "pussy"?

Jane: Yes.

(44). **Ms. Williams:** Well, thank you, Jane. That's all I want to ask now. That was a really funny dream, wasn't it!

Cross-Examination (by Defence Counsel)

(CE1). **Ms. Morris:** Jane, I'd like to ask you more about dreams. You told Ms Williams about the dream you had when you stayed with Dad. Do you remember how long ago you had this dream?

(CE1). **Ms. Morris:** Jane, we have just watched a videotape of an interview that Ms. Williams had with you. Do you remember when the interview took place?

Jane: Yes..... a while ago....a few weeks ago.

(CE2). **Ms. Morris:** When you told Mum about it did she think it was a funny dream?

(CE2). **Ms. Morris:** And if Ms. Williams were to ask you the same questions now, Jane, would you give the same answers?

Jane: Yes.

(CE3). **Ms Morris:** Jane, on the night you were alone with Dad, you said you went to bed at nine o'clock. Is that right?

Jane: Yes.

(CE4). **Ms. Morris:** Do you remember what time it was when you woke up?

Jane: No, I don't know.

(CE5). **Ms Morris:** Jane, do you often have dreams?

Jane: Yes.

(CE6). **Ms Morris:** And do you sometimes dream about people you know, like Mum and Dad?

Jane: Yes.

(CE7). **Ms. Morris:** Have some of your dreams been happy dreams?

Jane: Yes.

(CE8). **Ms. Morris:** And have some of them been unhappy or nasty dreams?

Jane: Hmm.....yes.

(CE9). **Ms. Morris:** Have you ever woken up in the middle of the night thinking that something terrible was happening only to find that it was just a dream?

Jane: Yes....sometimes.

(CE10). **Ms. Morris:** And those dreams can be very real, can't they?

Jane: Yes.

(CE11). **Ms. Morris:** And sometimes you can't tell whether it's a dream or real, can you?

Jane: Mmm!

(CE12). **Ms. Morris:** Do you usually tell Mum about your dreams?

(CE12). **Ms. Morris:** Has your mother talked a lot with you about what's happened?

Jane: Yes.

(CE13). **Ms. Morris:** Do you sometimes make up stories when you're at school?

Jane: In the classroom...yes. The teacher likes us to make up stories.

(CE14). **Ms. Morris:** Do you sometimes make up stories that are not true?

Jane: Yes. The teacher likes us to make up stories.

(CE15). **Ms. Morris:** And do you tell the teacher the stories you make up?

Jane: Yes....and I write them down on paper.

(CE16). **Ms Morris:** Does the teacher like the stories you write?

Jane: Yes.

(CE17). **Ms. Morris:** Do you sometimes make up stories when you tell other people?

Jane: Sometimes...but most of the time I tell the truth.

(CE18). **Ms. Morris:** But you don't always tell the truth?

Jane: (pause) Only when I'm making up stories.

(CE19). **Ms. Morris:** Do you think you told Ms. Williams most of what happened in your dream?

(CE19). **Ms. Morris:** When you told your Mum you didn't want to visit your Dad any more, did you tell her everything that you have told Ms. Williams?

Jane:Think so.

(CE20). **Ms. Morris:** But you might have said something different.

Jane: (Pause)..Don't know.

(CE21). **Ms. Morris:** Have you ever visited the dentist with a sore tooth?

(CE21). **Ms. Morris:** Did you tell your Mum that your Dad had hurt you?

Jane: Yes.

(CE22). **Ms. Morris:** And your Mum asked you questions about that?

Jane: Yes, I think so.

(CE23). **Ms. Morris:** A lot of questions?

Jane: Yes.

(CE24). **Ms. Morris:** And did your mum ask you how long your tooth had been hurting?

(CE24). **Ms. Morris:** Did she ask you if your dad had put something in your bottom?

Jane: Yes.

(CE25). **Ms. Morris:** Had you already told her that....before she asked about it?

Jane: Yes.....I think so.

(CE26). **Ms. Morris:** Does Mum like going to the dentist to have her teeth checked?

(CE26). **Ms. Morris:** Or did you Mum ask you if that was how Daddy had hurt you?

Jane: Don't know!

(CE27). **Ms. Morris:** Has Mum told you about the time when she was a little girl, and the dentist hit a sore place on one of her teeth?

(CE27). **Ms. Morris:** Your Mum was very angry when you told her your dad had hurt you, wasn't she?

Jane: Yes.

(CE28). **Ms. Morris:** What did she do?

Jane: She was yelling and yelling....over and over....

(CE29). **Ms. Morris:** How about Dad!...Did he ever visit the dentist with a sore tooth when he was young?

Jane:I don't know.(pause)...about Dad.

(CE30). **Ms. Morris:** I think dentists have better instruments now, Jane...no-one needs to worry about a visit to the dentist. Thank you, Jane.
I don't wish to ask any more questions now.

Judge Hargraves: Thank you. Ms. Smith, please tell the court who was the lady sitting off to the side of Jane while the interview was in progress. It wasn't Jane's mother, I understand?

Ms. Smith: (rises) No, your Honour. The Child Protection Assessment Board prefers such interviews with a child to be conducted without any parents or other relatives present but does allow another adult who is known to the child to be present. In Jane's case, the adult was her teacher, Mrs Mitchell.

Judge Hargraves: Very good. (Ms. Smith sits) Ms. Morris, can you tell the court whether the videodeposition just shown was the same interview, conducted by Ms. Williams, you were shown earlier?

Ms. Morris: It was, your Honour.

Judge Hargraves: And was the videotape of your interview with Jane, a true and proper record of your cross-examination of the child.

Ms. Morris: It was, your Honour.

Judge Hargraves: Very good.

Appendix B

Transcripts of Videotaped Trial

Child Witness Testimony Examination and Cross-Examination

(4) Videolink Condition

Inc. Judge's Instructions - those manipulated
(ie. present or absent) are in *italics*

(Dialogue in **bold** was edited from the trial)

Judge Hargraves: Ms. Smith, I understand the child witness in this case, Jane Murphy, who has made the allegation of sexual assault will not be appearing in the courtroom, but rather will give evidence via the court's closed circuit television system. Is that correct?

Ms. Smith: (rises) That is so, your Honour. (sits)

Judge Hargraves: I should explain to the members of the jury that the law now allows for witnesses to be interviewed by the prosecution and cross-examined by defence counsel via videolink while being present in a room adjoining the court.

There are many reasons why a witness cannot come into the courtroom. It is of no concern to you why the witness is not here in the presence of the defendant. Consider the evidence they give in the same way you would if they were present in court.

Now, please direct your attention to the television screen located in front of you, on which Jane Murphy's image appears. Ms. Smith, you may commence your examination of this witness.

Examination (by Prosecution Counsel)

- (1). **Ms Smith:** (rises) Thank you, your Honour. Hello, Jane. I've got some questions to ask you.....is that OK?

Jane: Yes

- (2). **Ms Smith:** How old are you, Jane?

Jane: 11

- (3). **Ms Smith:** Do you have any brothers or sisters?

Jane: No.

- (4). **Ms Smith:** So who lives at your place then?

Jane: Just Mum. Dad used to be at home, but he moved out and lives at New Town now.

- (5). **Ms Smith:** How long ago did your Dad move out?

Jane: Oh..I dunno..months ago..I think it was just after Christmas.

- (6). **Ms Smith:** Sometime in January..perhaps ten months ago?

Jane: Hmm...I think so.

- (7). **Ms Smith:** Have you seen your Dad since he moved out?

Jane: Yeah..a few times.

- (8) **Ms. Smith:** About how often?

Jane: I used to spend every second weekend with him.

- (9). **Ms. Smith:** When you stayed with your Dad, was there anyone else living with.....there with him?

Jane: No, there was just Dad and me there.

- (10). **Ms. Smith:** Now, Jane...I want you to try and remember the last weekend you spent with your Dad. Do you remember that?

Jane: Yes.

- (11). **Ms. Smith:** And when you talk to us about that weekend, you know you've got to tell us the truth?

Jane: Yes.

- (12). **Ms. Smith:** Do you know what the truth is?

Jane: Yes.

- (13). **Ms. Smith:** Do you know what lies are?

Jane: Yes.

- (14). **Ms. Smith:** What's a lie?

Jane: I ate some cake and said I didn't.....that's a lie.

- (15). **Ms. Smith:** What happens if you don't tell the truth?

Jane: I get into trouble from Mum.

- (16). **Ms. Smith:** Now, Jane, I'd like you to tell me a little about what happened the last time you stayed with your Dad. Do you remember what you had to eat?

Jane: Well....On this Saturday, Dad and I went out to get some hamburgers to eat and when we got back, Dad made

some popcorn, and we ate the popcorn with honey while we watched T.V....they were real good...the hamburgers... and the popcorn.....and then at about nine o'clock Dad said it was time for bed, and so I went off to bed but I must've woken up sometime in the middle of the night, 'cause my legs were really hurting....it was something Mum called cramp.

(17). **Ms. Smith:** You'd had cramp before, hadn't you, Jane?

Jane: Yes.

(18). **Ms. Smith:** How would you make it go away?

Jane: Mum would rub my legs real hard...sometimes with oily stuff.

(19). **Ms. Smith:** What about the night you got cramp at your Dad's? What did you do then?

Jane: I got out of bed and went into the next room, and Dad was watching T.V....and I told him my legs were hurting real bad and....he got some cushions together...down on the floor....and said I should lie down while he got some oil to rub my legs....and then he rubbed them real hard...just like Mum did...

(20). **Ms. Smith** You were telling me earlier that you have a toy pussy cat that you cuddle up to in bed. Did you have your pussy cat with you when Dad was trying to make your legs feel better?

Jane: Yes.

(21). **Ms. Smith:** And did Dad rub your pussy cat's legs too?

Jane: Oh yes.....the lower parts of his legs....and then he rubbed up higher (pause)....

- (22). **Ms. Smith:** And you told me you fell asleep and had a strange dream...in which you had a sore tooth and your toy pussy cat also had a sore tooth, and Dad was in your dream dressed like a dentist. And did Dad check your pussy cat's mouth?

Jane: He put his fingers in. (pause).....in my pussy.....

- (23). **Ms. Smith:** So then in your dream your Dad looked at your sore tooth and put his finger on it. How did that feel?

Jane: Really bad. It hurt a lot.

- (24). **Ms. Smith:** And what did you do?

Jane: I screamed out and told him to stop.

- (25). **Ms. Smith:** What did Dad do then?

Jane: He started putting something bigger into me.....into my mouth....I dreamt that he started pulling the tooth....it was something like dentists use.....I don't know what it was...I couldn't see because he was on top of me. It really, really hurt.

- (26). **Ms. Smith:** What happened then?

Jane: It was awful. He moved up and down a bit, and when he got up. (pause).....the tooth was loose.....that's when I woke up.

- (27). **Ms. Smith:** Did anything else happen?

Jane: When I was dreaming about the tooth, I must have waved my arms around and knocked the jar of honey off the table near me and it was all over the cushions and all over me.

(28). **Ms. Smith:** Oh! What did that feel like?

Jane: Yuck! There was sticky stuff all over my legs. Dad wiped it off and put my pyjamas back on me.

(29). **Ms. Smith:** How did you feel afterwards? Was the cramp still hurting you?

Jane: Next day, I was still sore.

(30). **Ms. Smith:** Did you tell Dad you were still sore?

Jane: Yes, Dad said I should take a hot bath and he would buy me a chocolate.

(31). **Ms. Smith:** Did you tell anyone what happened (pause)... about your dream and how you knocked the honey over everything?

Jane: No, not then. Dad said I shouldn't. He said I'd get into trouble and Mum would be real mad with me.

(32). **Ms. Smith:** And later? Did you tell anyone later?

Jane: Yes.

(33). **Ms. Smith:** Did you give Mum your pyjamas to wash?

Jane: No, I left them at the bottom of my cupboard...but Mum found them.

- (34). **Ms. Smith:** Did she ask how they got honey over them?

Jane: Yes, I told Mum I didn't want to get into trouble and I thought she mightn't want me to visit Dad anymore. She said "why", so I told her about it.

- (35). **Ms. Smith:** And what did she say?

Jane: She was really cross.

- (36). **Ms. Smith:** Do you think she was angry with you?

Jane: No.....with Dad, I think. She said he should have washed my pyjamas before I came back home, and not left them for her to wash.

- (37). **Ms. Smith:** Did your Mum talk to your Dad about it?

- (37). **Ms. Smith:** Jane, do you know what the word "vagina" means?

Jane: Yes.

- (38). **Ms. Smith:** Does your Mum seem happier about what happened now?

- (38). **Ms. Smith:** Is that what you mean when you talk about your "pussy"?

Jane: Yes.

- (39). **Ms. Smith:** Thank you, Jane. That's all I want to ask now. That was a really funny dream, wasn't it!

Judge Hargraves: Ms. Morris?

Cross-Examination (by Defence Counsel)

(CE1). **Ms Morris:** (rises) Thank you, your Honour. Jane, on the night you were alone with Dad, you said you went to bed at nine o'clock. Is that right?

Jane: Yes.

(CE2). **Ms. Morris:** Do you remember what time it was when you woke up?

Jane: No, I don't know.

(CE3). **Ms Morris:** Jane, do you often have dreams?

Jane: Yes.

(CE4). **Ms Morris:** And do you sometimes dream about people you know, like Mum and Dad?

Jane: Yes.

(CE5). **Ms. Morris:** Have some of your dreams been happy dreams?

Jane: Yes.

(CE6). **Ms. Morris:** And have some of them been unhappy or nasty dreams?

Jane: Hmm.....yes.

(CE7). **Ms. Morris:** Have you ever woken up in the middle of the night thinking that something terrible was happening ...only to find that it was just a dream?

Jane: Yes....sometimes.

(CE8).**Ms. Morris:** And those dreams can be very real, can't they?

Jane: Yes.

(CE9).**Ms. Morris:** And sometimes you can't tell whether it's a dream or real, can you?

Jane: Mmm!

(CE10).**Ms. Morris:** Do you usually tell Mum about your dreams?

(CE10).**Ms. Morris:** Has your mother talked a lot with you about what's happened?

Jane: Yes.

(CE11).**Ms. Morris:** Do you sometimes make up stories when you're at school?

Jane: In the classroom...yes. The teacher likes us to make up stories.

(CE12). **Ms. Morris:** Do you sometimes make up stories that are not true?

Jane: Yes. The teacher likes us to make up stories.

(CE13). **Ms. Morris:** And do you tell the teacher the stories you make up?

Jane: Yes....and I write them down on paper.

(CE14). **Ms Morris:** Does the teacher like the stories you write?

Jane: Yes.

(CE15). **Ms. Morris:** Do you sometimes make up stories when you tell other people?

Jane: Yes.....but most of the time I tell the truth.

(CE16). **Ms. Morris:** But you don't always tell the truth?

Jane: Only when I'm making up stories.

(CE17). **Ms. Morris:** Do you think you told Ms. Smith most of what happened in your dream?

(CE17). **Ms. Morris:** When you told your Mum you didn't want to visit your Dad any more, did you tell her everything that you have told Ms. Smith?

Jane:Think so.

(CE18). **Ms. Morris:** But you might have said something different.

Jane: (Pause)..Don't know.

(CE19). **Ms. Morris:** Have you ever visited the dentist with a sore tooth?

(CE19). **Ms. Morris:** Did you tell your Mum that your Dad had hurt you?

Jane: Yes.

(CE20). **Ms. Morris:** And your Mum asked you questions about that?

Jane: Yes.

(CE21). **Ms. Morris:** A lot of questions?

Jane: Yes.

(CE22). **Ms. Morris:** And did your mum ask you how long your tooth had been hurting?

(CE22). **Ms. Morris:** Did she ask you if your dad had put something in your bottom?

Jane: Yes.

(CE23). **Ms. Morris:** Had you already told her that....before she asked it?

Jane: Yes, I think so.

(CE24). **Ms. Morris:** Does Mum like going to the dentist to have her teeth checked?

(CE24). **Ms. Morris:** Or did your Mum ask you if that was how Daddy had hurt you?

Jane: Don't know!

(CE25). **Ms. Morris:** Has Mum told you about the time when she was a little girl, and the dentist hit a sore place on one of her teeth?

(CE25). **Ms. Morris:** Your Mum was very angry when you told her your dad had hurt you, wasn't she?

Jane: Yes.

(CE26). **Ms. Morris:** What did she do?

Jane: She was yelling and yelling....over and over....

(CE27). **Ms. Morris:** How about Dad!...Did he ever visit the dentist with a sore tooth when he was young?

Jane:I don't know.(pause)...about Dad.

(CE28). **Ms. Morris:** I think dentists have better instruments now, Jane...no-one needs to worry about a visit to the dentist. Thank you, Jane. I don't wish to ask any more questions now.

Judge Hargraves: Thank you, Ms. Morris. Ms. Smith, please tell the court who was the lady sitting off to the side of Jane while the interview was in progress. It was not Jane's mother, I understand?

Ms. Smith: No, your Honour. The Child Protection Assessment Board prefers such interviews with a child to be conducted without a parent or other relative present but they do allow another adult who is known to the child to be present. In this case, the adult was her teacher, Mrs Mitchell.

Judge Hargraves: Oh.....very well.

Appendix B

Transcripts of Videotaped Trial

(5). Defendant Testimony Examination and Cross-Examination

- All Experimental Conditions

Judge Hargraves: Do you have any submissions at this stage, Ms. Morris?

Ms. Morris: No, your Honour, I will be calling just one witness for the defence....the accused. I call Patrick Michael Murphy.

Bailiff: Patrick Michael Murphy (defendant enters witness box). Do you solemnly swear that the evidence that you shall give in this court will be the truth, the whole truth and nothing but the truth, so help you God?

Defendant: Yes.

Examination (by Defence Counsel)

(1). **Ms. Morris:** Is your name Patrick Michael Murphy?

Defendant: Yes.

(2). **Ms. Morris:** And you are 33 years old?

Defendant: Yes.

(3). **Ms. Morris:** And where do you live?

Defendant: 24 Grasslands Crescent, New Town.

(4). **Ms. Morris:** How long have you lived there?

Defendant: About ten months.

(5). **Ms. Morris:** And for how long have you been married to Susan Maree Murphy?

Defendant: A bit more than twelve years.

- (6). **Ms. Morris:** What is your occupation, Mr. Murphy?

Defendant: Ah...I'm an accountant.

- (7). **Ms. Morris:** And do you work in Hobart?

Defendant: Yes...well, my firm is based in Hobart but my company has traditionally offered a service to clients in the North and North-west of the state and also rural clients.

- (8). **Ms. Morris:** So your job entails some travelling?

Defendant: Yes, I am quite often away from home for two or three nights at a time.

- (9). **Ms. Morris:** How would you describe your marriage over the last four years. Has it been happy?

Defendant: Ah...we've had our problems....like all marriages, but in the year before I left things were pretty bad. I could put up with the arguments, but I finally left when I had reason to believe that Susan was seeing another man when I was away on business trips.

- (10). **Ms. Morris:** Mr. Murphy, leaving aside for the moment, the events of recent months, how would you describe the relationship you had with your daughter?

Defendant: Jane and I have always been very close.

- (11). **Ms. Morris:** Do you fully understand the allegation that has been made against you, with regard to Jane?

Defendant: Yes, I do, and I'm disgusted. It's absolutely ridiculous!

- (12). **Ms. Morris:** You're denying any allegation of sexual assault or impropriety with your child, Jane Murphy?

Defendant: I most certainly am!

- (13). **Ms. Morris:** Mr. Murphy, I'd like you to cast your mind back to the night in question, about three months ago. On that Saturday night about three months ago....the last time Jane stayed with you....do you remember what time your daughter went to bed?

Defendant: Yes, about nine o'clock.

- (14). **Ms. Morris:** Do you recall her waking up some time after that?

Defendant: Yes, I was at my desk looking after...over some papers from work when she came in crying and told me her legs were hurting.

- (15). **Ms. Morris:** I see, and were you aware that Jane had such pains on previous occasions?

Defendant: Yes, I have seen Susan rub Jane's legs vigorously to relieve the cramp, so I told Jane to go into the lounge room and lie down on the big cushions there.

- (16). **Ms. Morris:** And what did you do then?

Defendant: I got some oil that I'd seen Susan use for massaging her legs and then went in to the lounge. I started to rub Jane's legs vigorously and tried to make her feel better by reassuring her.

- (17). **Ms. Morris:** How was she dressed while this was happening?

Defendant: Well, she had been in pyjamas, and I had rolled up the pyjama legs to get access to her calf muscles, but when she said the pains were also up higher in the thigh area, I slipped her pyjama pants off to massage her upper legs properly.

- (18). **Ms. Morris:** And is it possible, Mr. Murphy, that you may have inadvertently made contact with her genitals whilst massaging her legs?

Defendant: Well, I suppose it's possible, but I don't remember doing so, and I certainly didn't do what Jane said I did in that interview.

- (19). **Ms. Morris:** Do you know why Jane might have said those things?

Ms. Smith: Your Honour, I must object. Ms. Morris is asking Mr. Murphy to speculate about the child's motives.

Justice Hargraves: Yes, Ms Smith. As someone with considerable experience in proper court procedure, Ms. Morris, I would have thought you'd know better. Please confine yourself to the facts of the case.

Ms. Morris: Your honour, this is a matter of considerable gravity for my client. As you can see, he gives every indication of being both puzzled and distressed by the accusation and has undoubtedly had ample time since the allegation was made for reflecting on the matter. Nevertheless, I will proceed as you have directed.

- (20). **Ms. Morris:** So, Mr. Murphy, do you recall how long you spent rubbing Jane's legs?

Defendant: No, I don't know exactly. Ah....probably about fifteen minutes, by which time Jane was asleep so I carried her back to bed.

(21). **Ms. Morris:** And that is all that happened.....nothing more?

Defendant: Nothing more...believe me.....nothing more.

(22). **Ms. Morris:** Mr. Murphy, have you at any time ever tried to bribe or threaten your daughter to keep anything secret?

Defendant: No....absolutely not!

Ms. Morris: Thank you, your Honour. If it please the Court.

Cross-Examination (by Prosecution Counsel)

Justice Hargraves: Ms. Smith?

(CE1). **Ms. Smith:** Thank you, your Honour. Mr Murphy, you have testified that your child, Jane, and yourself were on good terms over the last four years, is that correct?

Defendant: Yes.....very good.

(CE2). **Ms. Smith:** Would you say that you were very fond of her?

Defendant: Well, yes, I suppose so. But that doesn't mean I had sexual feelings toward her.

(CE3). **Ms. Smith:** You mentioned earlier that there had been problems in your marriage and you are now separated from your wife. Had you tried to do anything about these problems when you were with your wife?

Defendant: Yes, I wanted us to see someone together, but Susan wouldn't go.

(CE4). **Ms. Smith:** When you say "see someone", do you mean a marriage counsellor?

Defendant: Yes, but I said, Susan was reluctant to go and so things were getting worse not better.

(CE5). **Ms. Smith:** But your deteriorating relationship with your wife did not affect your relationship with your daughter?

Defendant: Oh no, far from it!

(CE6). **Ms. Smith:** You were just as fond of Jane, then?

Defendant: Yes. In fact, I wanted to continue to see Jane regularly so she would understand that I still loved her, even though I could no longer live with her mother.

(CE7). **Ms. Smith:** Now on the night when the sexual assault was alleged to have occurred, you say you were rubbing Jane's legs all over and she was lying back on some cushions with her pyjama top on.

Defendant: That's correct.

(CE8). **Ms. Smith:** And at the same time you had been living apart from your wife for at least two months?

Defendant: Look, I can see what you're trying to do, but you're wrong. There's no way I'd take advantage of Jane

like that. I just rubbed her legs 'till she fell asleep and then I put her to bed.

(CE9). **Ms. Smith:** And then you gave her some chocolate the next day?

Defendant: Yes, that part of her story is true, but I was not trying to buy her secrecy. She'd had a bad night. I only wanted to give her something to lift her spirits.....after the miserable night she'd had with the cramps in the legs.....and that's all.

Ms. Smith: Thank you, your Honour (sits).

Judge Hargraves: Do you wish to re-examine, Ms. Morris?

Ms. Morris: (rises) No, your Honour (sits).

Judge Hargraves: You may step down, Mr. Murphy.

Appendix B

(6). Trial Participant Consent Forms

A. Parental permission for child to be interviewed and the
interview included in simulated child sexual abuse trial

CHILD WITNESS/DEFENDANT CREDIBILITY:
TESTIMONY PRESENTATION MODE AND JUDGE'S INSTRUCTIONS

STATEMENT OF INFORMED CONSENT

CERTIFICATION BY PARENT OF PARTICIPATING CHILD:

I,.....,
(please insert name in full)
of.....

certify that I freely consent to my child being interviewed at the Psychology Department, University of Tasmania and for that interview to be subsequently edited, and incorporated into a simulated sexual abuse trial as witness testimony. This procedure is to be conducted for the purposes of research being conducted by Tania Eaton and supervised by Gemma O'Callaghan of the University of Tasmania. I certify that the purpose of this research project, that is to assess both the possible impact of videolink and videodeposition use and judge's instructions regarding these testimony presentation modes on child witness/defendant credibility, has been fully explained to me and that I have had an opportunity to have my questions answered. I also understand that I can withdraw my child from the project at any time.

CONFIDENTIALITY:

I certify that I have been assured that information concerning the actors in the simulation will be treated with confidentiality and participants will not be identified in any reports arising from this work. I understand that a summary of the results of this research will be made available to any participant requesting a copy thereof.

Signed..... Date.....

CERTIFICATION BY RESEARCHER:

I certify that I have explained this project in terms of its methodology and the implications of participation in it to the parent of the child participant named hereon and am satisfied that he/she understands these implications and has given valid consent for that child to participate in this project.

Signed..... Date.....

B. Participant in simulated child sexual abuse trial

**CHILD WITNESS/DEFENDANT CREDIBILITY:
TESTIMONY PRESENTATION MODE AND JUDGE'S INSTRUCTIONS**

STATEMENT OF INFORMED CONSENT

CERTIFICATION BY PARTICIPANT:

I.....
(please insert name in full)

of.....

certify that I freely agree to participate in the preparation of a videotaped simulation of a child sexual abuse trial, for the purposes of research, which is being conducted by Tania Eaton and supervised by Gemma O'Callaghan of the University of Tasmania. I certify that the purpose of this research project, that is to assess both the possible impact of videolink and videodeposition use and judge's instructions regarding these testimony presentation modes on child witness/defendant credibility, has been fully explained to me and that I have had an opportunity to have my questions answered. I also understand that I can withdraw from the project at any time.

CONFIDENTIALITY:

I certify that I have been assured that information concerning the actors in the simulation will be treated with confidentiality and participants will not be identified in any reports arising from this work. I understand that a summary of the results of this research will be made available to any participant requesting a copy thereof.

Signed..... Date.....

CERTIFICATION BY RESEARCHER:

I certify that I have explained this project in terms of its methodology and the implications of participation in it to the participant named hereon and am satisfied that he/she understands these implications and has given valid consent to participate in it.

Signed..... Date.....

Appendix C

Juror Response Forms

- (1) Demographic Information, parental status
and jury experience

- (2) Child Credibility, Defendant Credibility
and Defendant Guilt
(Pre- and Post-Deliberation)

- (3) Impact of presentation mode on
child psychological well-being and ability to testify,
defendant's case, juror task and degree of justice

- (4) Juror Consent Form

Appendix C

Juror Response Forms

- (1) Demographic Information, parental status
and jury experience

1. **Age** _____

2. **Sex**

3. **Do you have children?**
 a). yes
 b). no

4. **Jury experience**
 a). have been on a jury
 b). have not been on a jury

Appendix C

Juror Response Forms

- (2) Child Credibility, Defendant Credibility
and Defendant Guilt
(Pre- and Post-Deliberation)

Please answer all of the following as if you were a member of the jury at the trial you have just seen. Circle the number on each scale which best represents your response.

Rate the child witness on:

1. confidence

1	2	3	4	5
not very confident				very confident

2. consistency of testimony

1	2	3	4	5
very inconsistent				very consistent

3. powerfulness of speech style

1	2	3	4	5
powerless				powerful

4. reliability of memory

1	2	3	4	5
not reliable				very reliable

5. susceptibility to suggestion

1	2	3	4	5
very suggestible				resists suggestion

6. ability to distinguish fact from fantasy

1	2	3	4	5
poor				good

7. maturity

1	2	3	4	5
very immature				very mature

8. overall credibility (*child witness*)

1	2	3	4	5
not credible				very credible

9. overall credibility (*defendant*)

1	2	3	4	5
not credible				very credible

10. What is your decision regarding the guilt or innocence of the accused?

1	2	3	4	5
definitely guilty				definitely innocent

Appendix C

Juror Response Forms

(3) Impact of presentation mode on
child psychological well-being and ability to testify,
defendant's case, juror task and degree of justice

(Form varied depending on condition -
ie. via videotape, via videolink or in the courtroom)

1. Degree to which the child's psychological well-being was affected by her giving evidence (via videotape / via videolink / in the courtroom).

1	2	3	4	5
most negatively		neutral		most positively

2. Degree to which the child's ability to testify was affected by her giving evidence (via videotape / via videolink / in the courtroom).

1	2	3	4	5
most negatively		neutral		most positively

3. Degree to which the defendant's case was affected by the child giving evidence (via videotape / via videolink / in the courtroom).

1	2	3	4	5
most negatively		neutral		most positively

4. Degree to which your task as a juror was affected by the child giving evidence (via videotape / via videolink / in the courtroom).

1	2	3	4	5
most negatively		neutral		most positively

5. Degree to which you believe justice was met during the trial.

1	2	3	4	5
least justice				most justice

Appendix C

Juror Response Forms

(4) Consent Form

C. Mock jurors for simulated child sexual abuse trial

STATEMENT OF INFORMED CONSENT

Aim

This study aims to investigate jurors' perceptions of child witness reliability in a sex abuse case.

Procedure - Subjects will:

1. View a videotaped child sex abuse court case which includes the testimony of a child.
2. Make ratings of child witness credibility, defendant credibility and guilt of the defendant.
3. Participate in deliberations with other jury members.

CERTIFICATION BY PARTICIPANT:

I,.....,
(please insert name in full)

of.....

certify that I freely agree to act as a mock juror in the research project, involving a simulated child sexual abuse trial, which is being conducted by Tania Eaton and supervised by Gemma O'Callaghan of the University of Tasmania. I certify that I have read the above information, had an opportunity to have my questions answered and been informed that I have the right to withdraw from participation in this project at any time without penalty.

CONFIDENTIALITY:

I understand that no identifying information about any juror will be contained in any report of the study and that a summary of the results of this research will be made available on request. I am also aware that an assurance of confidentiality has been giving to the actors who played roles in the simulated trial and certify that I agree to respect this assurance by not disclosing the real identity of any actor at any time. In addition, I agree not to discuss the content of any materials used in this study with any other psychology student before November, 1995.

Signed..... Date.....

CERTIFICATION BY RESEARCHER:

I certify that I have explained this project in terms of its methodology and the implications of participation in it to the participant named hereon and am satisfied that he/she understands these implications and has given valid consent to participate in it as a mock juror.

Signed..... Date.....

Appendix D

Scored Data

- (1). **Preliminary Analysis 1 - Deliberation Stage**
- (2). **Preliminary Analysis 2 - Deliberation Stage**
- (3). **Analysis 1 - Presentation Mode**
- (4). **Analysis 2 - Presentation Mode, Judicial Instructions and
Deliberation Stage**
- (5). **Raw Data**

Appendix D

Scored Data

(1). **Preliminary Analysis 1 - Deliberation Stage**

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	4.088	2.044	3.528	.0329
Residual	105	60.826	.579		

Dependent: OCCchg

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	2.171	1.086	2.117	.1255
Residual	105	53.854	.513		

Dependent: OCDchg

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	2.866	1.433	2.817	.0643
Residual	105	53.403	.509		

Dependent: DGchg

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	.181	.090	.142	.8674
Residual	105	66.549	.634		

Dependent: Confidence - change

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	.074	.037	.054	.9478
Residual	105	72.444	.690		

Dependent: Consistency - change

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	1.866	.933	1.361	.2610
Residual	105	71.993	.686		

Dependent: Speech Style - change

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	2.421	1.211	2.364	.0990
Residual	105	53.771	.512		

Dependent: Memory - change

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	.167	.083	.108	.8974
Residual	105	80.750	.769		

Dependent: Suggestibility - change

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	.894	.447	.683	.5074
Residual	105	68.688	.654		

Dependent: Fact from Fantasy - change

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	1.500	.750	1.247	.2917
Residual	105	63.167	.602		

Dependent: Maturity - change

Type III MANOVA Table
Effect: Presentation Mode

S 2
M 3.500
N 47.000

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.788	1.213	20.000	192.000	.2467
Roy's Greatest Root	.165				
Hotelling-Lawley Trace	.254	1.207	20.000	190.000	.2523
Pillai Trace	.223	1.220	20.000	194.000	.2413

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	4.088	2.044	3.528	.0329
Residual	105	60.826	.579		

Dependent: OCCchg

Means Table

Effect: Presentation Mode

Dependent: OCCchg

	Count	Mean	Std. Dev.	Std. Error
Courtgiven	36	-.125	.823	.137
Videodeposition	36	.167	.811	.135
Videolink	36	-.306	.636	.106

CG x videodep

Effect: Presentation Mode

Dependent: OCCchg

	Cell Weight
Courtgiven	1.000
Videodeposition	-1.000

df	1
Sum of Squares	1.531
Mean Square	1.531
F-Value	2.643
P-Value	.1070

Videodep x videolink

Effect: Presentation Mode

Dependent: OCCchg

	Cell Weight
Videodeposition	1.000
Videolink	-1.000

df	1
Sum of Squares	4.014
Mean Square	4.014
F-Value	6.929
P-Value	.0098

CG x videolink

Effect: Presentation Mode

Dependent: OCCchg

	Cell Weight
Courtgiven	1.000
Videolink	-1.000

df	1
Sum of Squares	.587
Mean Square	.587
F-Value	1.013
P-Value	.3165

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	2	8.049	4.024	4.705	.0110		
Subject(Group)	105	89.816	.855				
Deliberation Stage	1	.418	.418	1.443	.2324	.2324	.2324
Deliberation Stage * Presentation Mode	2	2.044	1.022	3.528	.0329	.0329	.0329
Deliberation Stage * Subject(Group)	105	30.413	.290				

Dependent: Overall Credibility (Child)

Table of Epsilon Factors for df Adjustment

Dependent: Overall Credibility (Child)

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.019

NOTE: Probabilities are not corrected for values of epsilon greater than 1.

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	2	1.280	.640	.609	.5459		
Subject(Group)	105	110.372	1.051				
Deliberation Stage	1	.612	.612	2.387	.1253	.1253	.1253
Deliberation Stage * Presentation Mode	2	1.086	.543	2.117	.1255	.1255	.1255
Deliberation Stage * Subject(Group)	105	26.927	.256				

Dependent: Overall Credibility (Def)

Table of Epsilon Factors for df Adjustment

Dependent: Overall Credibility (Def)

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.019

NOTE: Probabilities are not corrected for values
of epsilon greater than 1.

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	2	6.090	3.045	2.618	.0777		
Subject(Group)	105	122.118	1.163				
Deliberation Stage	1	.116	.116	.455	.5014	.5014	.5014
Deliberation Stage * Presentation Mode	2	1.433	.716	2.817	.0643	.0643	.0643
Deliberation Stage * Subject(Group)	105	26.701	.254				

Dependent: Defendant Guilt

Table of Epsilon Factors for df Adjustment

Dependent: Defendant Guilt

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.019

NOTE: Probabilities are not corrected for values of epsilon greater than 1.

Appendix D

Scored Data

(2). Preliminary Analysis 2 - Deliberation Stage

Type III MANOVA Table
Effect: Presentation Mode

S 1
M 4.000
N 28.500

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.844	1.091	10.000	59.000	.3842
Roy's Greatest Root	.185	1.091	10.000	59.000	.3842
Hotelling-Lawley Trace	.185	1.091	10.000	59.000	.3842
Pillai Trace	.156	1.091	10.000	59.000	.3842

Type III MANOVA Table
Effect: Judge's Instructions

S 1
M 4.000
N 28.500

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.843	1.102	10.000	59.000	.3759
Roy's Greatest Root	.187	1.102	10.000	59.000	.3759
Hotelling-Lawley Trace	.187	1.102	10.000	59.000	.3759
Pillai Trace	.157	1.102	10.000	59.000	.3759

Type III MANOVA Table
Effect: Presentation Mode * Judge's Instructions

S 1
M 4.000
N 28.500

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.693	2.615	10.000	59.000	.0106
Roy's Greatest Root	.443	2.615	10.000	59.000	.0106
Hotelling-Lawley Trace	.443	2.615	10.000	59.000	.0106
Pillai Trace	.307	2.615	10.000	59.000	.0106

Appendix D

Scored Data

(3). Analysis 1 - Presentation Mode

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	3.838	1.919	2.575	.0809
Residual	105	78.243	.745		

Dependent: Confidence - Post

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	1.463	.731	.915	.4038
Residual	105	83.972	.800		

Dependent: Consistency - Post

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	4.681	2.340	2.519	.0854
Residual	105	97.549	.929		

Dependent: Speech Style - Post

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	3.255	1.627	1.986	.1424
Residual	105	86.049	.820		

Dependent: Memory - Post

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	.963	.481	.580	.5616
Residual	105	87.139	.830		

Dependent: Suggestibility - Post

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	.782	.391	.484	.6176
Residual	105	84.854	.808		

Dependent: Fact From Fantasy - Post

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	.667	.333	.427	.6537
Residual	105	82.000	.781		

Dependent: Maturity - Post

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	7.227	3.613	5.719	.0044
Residual	105	66.347	.632		

Dependent: OCCpost

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	2.347	1.174	1.991	.1416
Residual	105	61.882	.589		

Dependent: OCDpost

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	6.616	3.308	5.761	.0042
Residual	105	60.292	.574		

Dependent: DGpost

Type III MANOVA Table
Effect: Presentation Mode

S 2
M 3.500
N 47.000

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.724	1.686	20.000	192.000	.0384
Roy's Greatest Root	.279				
Hotelling-Lawley Trace	.359	1.707	20.000	190.000	.0350
Pillai Trace	.293	1.663	20.000	194.000	.0423

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	7.227	3.613	5.719	.0044
Residual	105	66.347	.632		

Dependent: OCCpost

Means Table
Effect: Presentation Mode
Dependent: OCCpost

	Count	Mean	Std. Dev.	Std. Error
Courtgiven	36	3.597	.901	.150
Videodeposition	36	3.583	.770	.128
Videolink	36	3.042	.701	.117

CG x Videodep
Effect: Presentation Mode
Dependent: OCCpost

	Cell Weight
Courtgiven	1.000
Videodeposition	-1.000

df	1
Sum of Squares	.003
Mean Square	.003
F-Value	.005
P-Value	.9410

CG x videolink
Effect: Presentation Mode
Dependent: OCCpost

	Cell Weight
Courtgiven	1.000
Videolink	-1.000

df	1
Sum of Squares	5.556
Mean Square	5.556
F-Value	8.792
P-Value	.0037

videodep x videolink
Effect: Presentation Mode
Dependent: OCCpost

	Cell Weight
Videodeposition	1.000
Videolink	-1.000

df	1
Sum of Squares	5.281
Mean Square	5.281
F-Value	8.358
P-Value	.0047

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	6.616	3.308	5.761	.0042
Residual	105	60.292	.574		

Dependent: DGpost

Means Table
Effect: Presentation Mode
Dependent: DGpost

	Count	Mean	Std. Dev.	Std. Error
Courtgiven	36	2.597	.725	.121
Videodeposition	36	2.986	.866	.144
Videolink	36	3.194	.668	.111

CG x videodep
Effect: Presentation Mode
Dependent: DGpost

	Cell Weight
Courtgiven	1.000
Videodeposition	-1.000

df	1
Sum of Squares	2.722
Mean Square	2.722
F-Value	4.741
P-Value	.0317

CG x videolink
Effect: Presentation Mode
Dependent: DGpost

	Cell Weight
Courtgiven	1.000
Videolink	-1.000

df	1
Sum of Squares	6.420
Mean Square	6.420
F-Value	11.181
P-Value	.0011

Videodep x videolink
Effect: Presentation Mode
Dependent: DGpost

	Cell Weight
Videodeposition	1.000
Videolink	-1.000

df	1
Sum of Squares	.781
Mean Square	.781
F-Value	1.361
P-Value	.2461

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	35.167	17.583	30.900	.0001
Residual	105	59.750	.569		

Dependent: Child Psych. Well-Being

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	21.125	10.562	14.291	.0001
Residual	105	77.604	.739		

Dependent: Child Testimony

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	6.056	3.028	3.629	.0299
Residual	105	87.611	.834		

Dependent: Defendant's Case

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	25.977	12.988	15.053	.0001
Residual	105	90.597	.863		

Dependent: Juror Task

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	2.019	1.009	1.201	.3049
Residual	105	88.222	.840		

Dependent: Justice

Type III MANOVA Table
Effect: Presentation Mode

S 2
M 1.000
N 49.500

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.403	11.616	10.000	202.000	.0001
Roy's Greatest Root	1.341				
Hotelling-Lawley Trace	1.401	14.006	10.000	200.000	.0001
Pillai Trace	.629	9.365	10.000	204.000	.0001

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	35.167	17.583	30.900	.0001
Residual	105	59.750	.569		

Dependent: Child Psych. Well-Being

Means Table
Effect: Presentation Mode
Dependent: Child Psych. Well-Being

	Count	Mean	Std. Dev.	Std. Error
Courtgiven	36	2.667	.828	.138
Videodeposition	36	3.833	.775	.129
Videolink	36	3.917	.649	.108

CG x videodep
Effect: Presentation Mode
Dependent: Child Psych. Well-Being

	Cell Weight
Courtgiven	1.000
Videodeposition	-1.000

df	1
Sum of Squares	24.500
Mean Square	24.500
F-Value	43.054
P-Value	.0001

CG x videolink
Effect: Presentation Mode
Dependent: Child Psych. Well-Being

	Cell Weight
Courtgiven	1.000
Videolink	-1.000

df	1
Sum of Squares	28.125
Mean Square	28.125
F-Value	49.425
P-Value	.0001

Videodep x videolink
Effect: Presentation Mode
Dependent: Child Psych. Well-Being

	Cell Weight
Videodeposition	1.000
Videolink	-1.000

df	1
Sum of Squares	.125
Mean Square	.125
F-Value	.220
P-Value	.6403

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	21.125	10.562	14.291	.0001
Residual	105	77.604	.739		

Dependent: Child Testimony

Means Table
Effect: Presentation Mode
Dependent: Child Testimony

	Count	Mean	Std. Dev.	Std. Error
Courtgiven	36	2.861	.833	.139
Videodeposition	36	3.819	.776	.129
Videolink	36	3.778	.959	.160

CG x videodep
Effect: Presentation Mode
Dependent: Child Testimony

	Cell Weight
Courtgiven	1.000
Videodeposition	-1.000

df	1
Sum of Squares	16.531
Mean Square	16.531
F-Value	22.367
P-Value	.0001

CG x videolink
Effect: Presentation Mode
Dependent: Child Testimony

	Cell Weight
Courtgiven	1.000
Videolink	-1.000

df	1
Sum of Squares	15.125
Mean Square	15.125
F-Value	20.464
P-Value	.0001

videodep x videolink
Effect: Presentation Mode
Dependent: Child Testimony

	Cell Weight
Videodeposition	1.000
Videolink	-1.000

df	1
Sum of Squares	.031
Mean Square	.031
F-Value	.042
P-Value	.8375

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	6.056	3.028	3.629	.0299
Residual	105	87.611	.834		

Dependent: Defendant's Case

Means Table
Effect: Presentation Mode
Dependent: Defendant's Case

	Count	Mean	Std. Dev.	Std. Error
Courtgiven	36	2.583	1.079	.180
Videodeposition	36	2.528	.845	.141
Videolink	36	3.056	.791	.132

CG x videodep
Effect: Presentation Mode
Dependent: Defendant's Case

	Cell Weight
Courtgiven	1.000
Videodeposition	-1.000

df	1
Sum of Squares	.056
Mean Square	.056
F-Value	.067
P-Value	.7969

CG x videolink
Effect: Presentation Mode
Dependent: Defendant's Case

	Cell Weight
Courtgiven	1.000
Videolink	-1.000

df	1
Sum of Squares	4.014
Mean Square	4.014
F-Value	4.811
P-Value	.0305

videodep x videolink
Effect: Presentation Mode
Dependent: Defendant's Case

	Cell Weight
Videodeposition	1.000
Videolink	-1.000

df	1
Sum of Squares	5.014
Mean Square	5.014
F-Value	6.009
P-Value	.0159

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	2	25.977	12.988	15.053	.0001
Residual	105	90.597	.863		

Dependent: Juror Task

Means Table
Effect: Presentation Mode
Dependent: Juror Task

	Count	Mean	Std. Dev.	Std. Error
Courtgiven	36	3.597	.962	.160
Videodeposition	36	2.625	.701	.117
Videolink	36	2.500	1.082	.180

CG x videodep
Effect: Presentation Mode
Dependent: Juror Task

	Cell Weight
Courtgiven	1.000
Videodeposition	-1.000

df	1
Sum of Squares	17.014
Mean Square	17.014
F-Value	19.719
P-Value	.0001

CG x videolink
Effect: Presentation Mode
Dependent: Juror Task

	Cell Weight
Courtgiven	1.000
Videolink	-1.000

df	1
Sum of Squares	21.670
Mean Square	21.670
F-Value	25.115
P-Value	.0001

videodep x videolink
Effect: Presentation Mode
Dependent: Juror Task

	Cell Weight
Videodeposition	1.000
Videolink	-1.000

df	1
Sum of Squares	.281
Mean Square	.281
F-Value	.326
P-Value	.5693

Appendix D

Scored Data

- (4). **Analysis 2** - Presentation Mode, Judicial Instructions and
Deliberation Stage

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	1.668	1.668	1.663	.2016		
Judge's Instructions	1	.627	.627	.625	.4321		
Presentation Mode * Judge's Instructions	1	1.085	1.085	1.081	.3021		
Subject(Group)	68	68.229	1.003				
Deliberation Stage	1	.085	.085	.232	.6317	.6317	.6317
Deliberation Stage * Presentation Mode	1	.043	.043	.118	.7320	.7320	.7320
Deliberation Stage * Judge's Instructions	1	.502	.502	1.367	.2463	.2463	.2463
Deliberation Stage * Presentation Mode * Judge's Instructions	1	.043	.043	.118	.7320	.7320	.7320
Deliberation Stage * Subject(Group)	68	24.951	.367				

Dependent: Confidence

Table of Epsilon Factors for df Adjustment

Dependent: Confidence

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values of epsilon greater than 1.

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	2.250	2.250	1.963	.1657		
Judge's Instructions	1	1.778	1.778	1.551	.2173		
Presentation Mode * Judge's Instructions	1	1.000	1.000	.872	.3536		
Subject(Group)	68	77.944	1.146				
Deliberation Stage	1	3.361	3.361	9.726	.0027	.0027	.0027
Deliberation Stage * Presentation Mode	1	.028	.028	.080	.7776	.7776	.7776
Deliberation Stage * Judge's Instructions	1	.111	.111	.322	.5726	.5726	.5726
Deliberation Stage * Presentation Mode * Judge's Instructions	1	-2.711E-20	-2.711E-20	-7.843E-20	1.0000	1	1
Deliberation Stage * Subject(Group)	68	23.500	.346				

Dependent: Consistency

Table of Epsilon Factors for df Adjustment

Dependent: Consistency

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values of epsilon greater than 1.

Means Table

Effect: Deliberation Stage

Dependent: Consistency

	Count	Mean	Std. Dev.	Std. Error
Pre	72	3.667	.856	.101
Post	72	3.361	.877	.103

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	1.891	1.891	1.759	.1892		
Judge's Instructions	1	6.043	6.043	5.623	.0206		
Presentation Mode * Judge's Instructions	1	3.516	3.516	3.271	.0749		
Subject(Group)	68	73.090	1.075				
Deliberation Stage	1	.085	.085	.262	.6105	.6105	.6105
Deliberation Stage * Presentation Mode	1	.918	.918	2.827	.0973	.0973	.0973
Deliberation Stage * Judge's Instructions	1	.766	.766	2.357	.1294	.1294	.1294
Deliberation Stage * Presentation Mode * Judge's Instructions	1	.766	.766	2.357	.1294	.1294	.1294
Deliberation Stage * Subject(Group)	68	22.090	.325				

Dependent: Speech Style

Table of Epsilon Factors for df Adjustment

Dependent: Speech Style

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values of epsilon greater than 1.

Means Table

Effect: Judge's Instructions

Dependent: Speech Style

	Count	Mean	Std. Dev.	Std. Error
Present	72	3.229	.860	.101
Absent	72	2.819	.845	.100

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	3.516	3.516	2.681	.1062		
Judge's Instructions	1	.502	.502	.383	.5383		
Presentation Mode * Judge's Instructions	1	.043	.043	.033	.8562		
Subject(Group)	68	89.174	1.311				
Deliberation Stage	1	.210	.210	1.254	.2668	.2668	.2668
Deliberation Stage * Presentation Mode	1	.141	.141	.839	.3629	.3629	.3629
Deliberation Stage * Judge's Instructions	1	.293	.293	1.751	.1902	.1902	.1902
Deliberation Stage * Presentation Mode * Judge's Instructions	1	.085	.085	.508	.4786	.4786	.4786
Deliberation Stage * Subject(Group)	68	11.396	.168				

Dependent: Memory

Table of Epsilon Factors for df Adjustment

Dependent: Memory

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values
of epsilon greater than 1.

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	1.778	1.778	1.567	.2150		
Judge's Instructions	1	.028	.028	.024	.8761		
Presentation Mode * Judge's Instructions	1	.028	.028	.024	.8761		
Subject(Group)	68	77.167	1.135				
Deliberation Stage	1	.111	.111	.291	.5912	.5912	.5912
Deliberation Stage * Presentation Mode	1	-2.711E-20	-2.711E-20	-7.104E-20	1.0000	1	1
Deliberation Stage * Judge's Instructions	1	.694	.694	1.820	.1818	.1818	.1818
Deliberation Stage * Presentation Mode * Judge's Instructions	1	.250	.250	.655	.4211	.4211	.4211
Deliberation Stage * Subject(Group)	68	25.944	.382				

Dependent: Suggestibility

Table of Epsilon Factors for df Adjustment
Dependent: Suggestibility

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values
of epsilon greater than 1.

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	2.641	2.641	2.009	.1609		
Judge's Instructions	1	.391	.391	.297	.5874		
Presentation Mode * Judge's Instructions	1	1.266	1.266	.963	.3299		
Subject(Group)	68	89.368	1.314				
Deliberation Stage	1	.627	.627	2.121	.1499	.1499	.1499
Deliberation Stage * Presentation Mode	1	.141	.141	.476	.4926	.4926	.4926
Deliberation Stage * Judge's Instructions	1	.002	.002	.006	.9391	.9391	.9391
Deliberation Stage * Presentation Mode * Judge's Instructions	1	.766	.766	2.591	.1121	.1121	.1121
Deliberation Stage * Subject(Group)	68	20.090	.295				

Dependent: Fact From Fantasy

Table of Epsilon Factors for df Adjustment

Dependent: Fact From Fantasy

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values
of epsilon greater than 1.

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	1.337E-36	1.337E-36	9.254E-37	1.0000		
Judge's Instructions	1	1.000	1.000	.692	.4084		
Presentation Mode * Judge's Instructions	1	.694	.694	.480	.4906		
Subject(Group)	68	98.278	1.445				
Deliberation Stage	1	1.361	1.361	4.667	.0343	.0343	.0343
Deliberation Stage * Presentation Mode	1	1.337E-36	1.337E-36	4.586E-36	1.0000	1	1
Deliberation Stage * Judge's Instructions	1	.111	.111	.381	.5392	.5392	.5392
Deliberation Stage * Presentation Mode * Judge's Instructions	1	.694	.694	2.381	.1275	.1275	.1275
Deliberation Stage * Subject(Group)	68	19.833	.292				

Dependent: Maturity

Table of Epsilon Factors for df Adjustment

Dependent: Maturity

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values of epsilon greater than 1.

Means Table

Effect: Deliberation Stage

Dependent: Maturity

	Count	Mean	Std. Dev.	Std. Error
Pre	72	3.361	.983	.116
Post	72	3.167	.856	.101

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	3.361	3.361	4.145	.0457		
Judge's Instructions	1	2.778	2.778	3.426	.0685		
Presentation Mode * Judge's Instructions	1	.111	.111	.137	.7124		
Subject(Group)	68	55.139	.811				
Deliberation Stage	1	.174	.174	.692	.4083	.4083	.4083
Deliberation Stage * Presentation Mode	1	2.007	2.007	8.002	.0061	.0061	.0061
Deliberation Stage * Judge's Instructions	1	.340	.340	1.357	.2482	.2482	.2482
Deliberation Stage * Presentation Mode * Judge's Instructions	1	1.174	1.174	4.679	.0340	.0340	.0340
Deliberation Stage * Subject(Group)	68	17.056	.251				

Dependent: Overall Credibility (Child)

Table of Epsilon Factors for df Adjustment
Dependent: Overall Credibility (Child)

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values of epsilon greater than 1.

Means Table
Effect: Presentation Mode
Dependent: Overall Credibility (Child)

	Count	Mean	Std. Dev.	Std. Error
Videodeposition	72	3.500	.732	.086
Videolink	72	3.194	.758	.089

Means Table
Effect: Deliberation Stage * Presentation Mode
Dependent: Overall Credibility (Child)

	Count	Mean	Std. Dev.	Std. Error
Pre, Videodeposition	36	3.417	.692	.115
Pre, Videolink	36	3.347	.791	.132
Post, Videodeposition	36	3.583	.770	.128
Post, Videolink	36	3.042	.701	.117

Means Table
Effect: Deliberation Stage * Presentation Mode * Judge's Instructions
Dependent: Overall Credibility (Child)

	Count	Mean	Std. Dev.	Std. Error
Pre, Videodeposition, Present	18	3.444	.616	.145
Pre, Videodeposition, Absent	18	3.389	.778	.183
Pre, Videolink, Present	18	3.500	.618	.146
Pre, Videolink, Absent	18	3.194	.926	.218
Post, Videodeposition, Present	18	3.889	.676	.159
Post, Videodeposition, Absent	18	3.278	.752	.177
Post, Videolink, Present	18	3.111	.676	.159
Post, Videolink, Absent	18	2.972	.737	.174

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	.002	.002	.002	.9660		
Judge's Instructions	1	1.668	1.668	1.757	.1894		
Presentation Mode * Judge's Instructions	1	.766	.766	.806	.3724		
Subject(Group)	68	64.563	.949				
Deliberation Stage	1	.002	.002	.007	.9338	.9338	.9338
Deliberation Stage * Presentation Mode	1	.016	.016	.062	.8034	.8034	.8034
Deliberation Stage * Judge's Instructions	1	.210	.210	.840	.3627	.3627	.3627
Deliberation Stage * Presentation Mode * Judge's Instructions	1	1.891	1.891	7.559	.0076	.0076	.0076
Deliberation Stage * Subject(Group)	68	17.007	.250				

Dependent: Overall Credibility (Defendant)

Table of Epsilon Factors for df Adjustment
Dependent: Overall Credibility (Defendant)

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values of epsilon greater than 1.

Means Table
Effect: Deliberation Stage * Presentation Mode * Judge's Instructions
Dependent: Overall Credibility (Defendant)

	Count	Mean	Std. Dev.	Std. Error
Pre, Videodeposition, Present	18	3.111	.758	.179
Pre, Videodeposition, Absent	18	3.167	.707	.167
Pre, Videolink, Present	18	3.000	.907	.214
Pre, Videolink, Absent	18	3.222	.808	.191
Post, Videodeposition, Present	18	2.778	.808	.191
Post, Videodeposition, Absent	18	3.444	.616	.145
Post, Videolink, Present	18	3.167	.707	.167
Post, Videolink, Absent	18	3.083	.845	.199

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value	G-G	H-F
Presentation Mode	1	1.085	1.085	.922	.3403		
Judge's Instructions	1	3.516	3.516	2.988	.0884		
Presentation Mode * Judge's Instructions	1	.002	.002	.001	.9695		
Subject(Group)	68	80.007	1.177				
Deliberation Stage	1	.918	.918	3.648	.0603	.0603	.0603
Deliberation Stage * Presentation Mode	1	.043	.043	.172	.6793	.6793	.6793
Deliberation Stage * Judge's Instructions	1	.085	.085	.338	.5629	.5629	.5629
Deliberation Stage * Presentation Mode * Judge's Instructions	1	1.460	1.460	5.800	.0187	.0187	.0187
Deliberation Stage * Subject(Group)	68	17.118	.252				

Dependent: Defendant Guilt

Table of Epsilon Factors for df Adjustment
Dependent: Defendant Guilt

	G-G Epsilon	H-F Epsilon
Deliberation Stage	1.000	1.045

NOTE: Probabilities are not corrected for values
of epsilon greater than 1.

Means Table
Effect: Deliberation Stage * Presentation Mode * Judge's Instructions
Dependent: Defendant Guilt

	Count	Mean	Std. Dev.	Std. Error
Pre, Videodeposition, Present	18	2.778	1.003	.236
Pre, Videodeposition, Absent	18	2.944	.725	.171
Pre, Videolink, Present	18	2.722	.826	.195
Pre, Videolink, Absent	18	3.278	1.074	.253
Post, Videodeposition, Present	18	2.750	.879	.207
Post, Videodeposition, Absent	18	3.222	.808	.191
Post, Videolink, Present	18	3.167	.618	.146
Post, Videolink, Absent	18	3.222	.732	.173

Type III MANOVA Table
Effect: Presentation Mode

S 1
M 1.500
N 31.000

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.874	1.841	5.000	64.000	.1173
Roy's Greatest Root	.144	1.841	5.000	64.000	.1173
Hotelling-Lawley Trace	.144	1.841	5.000	64.000	.1173
Pillai Trace	.126	1.841	5.000	64.000	.1173

Type III MANOVA Table
Effect: Judge's Instructions

S 1
M 1.500
N 31.000

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.833	2.570	5.000	64.000	.0351
Roy's Greatest Root	.201	2.570	5.000	64.000	.0351
Hotelling-Lawley Trace	.201	2.570	5.000	64.000	.0351
Pillai Trace	.167	2.570	5.000	64.000	.0351

Type III MANOVA Table
Effect: Presentation Mode * Judge's Instructions

S 1
M 1.500
N 31.000

	Value	F-Value	Num DF	Den DF	P-Value
Wilks' Lambda	.723	4.915	5.000	64.000	.0007
Roy's Greatest Root	.384	4.915	5.000	64.000	.0007
Hotelling-Lawley Trace	.384	4.915	5.000	64.000	.0007
Pillai Trace	.277	4.915	5.000	64.000	.0007

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	1	.125	.125	.287	.5939
Judge's Instructions	1	1.125	1.125	2.583	.1126
Presentation Mode * Judge's Instructions	1	5.014	5.014	11.514	.0012
Residual	68	29.611	.435		

Dependent: Child Psych. Well-Being

Means Table
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Psych. Well-Being

	Count	Mean	Std. Dev.	Std. Error
Videodeposition, Present	18	4.222	.808	.191
Videodeposition, Absent	18	3.444	.511	.121
Videolink, Present	18	3.778	.647	.152
Videolink, Absent	18	4.056	.639	.151

Videodep, A x Videolink, A
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Psych. Well-Being

	Cell Weight
Videodeposition, Absent	1.000
Videolink, Absent	-1.000

df 1
Sum of Squares 3.361
Mean Square 3.361
F-Value 7.719
P-Value .0071

Videodep, P x Videolink, P
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Psych. Well-Being

	Cell Weight
Videodeposition, Present	1.000
Videolink, Present	-1.000

df 1
Sum of Squares 1.778
Mean Square 1.778
F-Value 4.083
P-Value .0473

Videodep, P x A
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Psych. Well-Being

	Cell Weight
Videodeposition, Present	1.000
Videodeposition, Absent	-1.000

df 1
Sum of Squares 5.444
Mean Square 5.444
F-Value 12.503
P-Value .0007

Videodep, P x Videolink, A
Effect: Presentation Mode * Judge's Instructions
Dependent: Chlld Psych. Well-Being

	Cell Weight
Videodeposition, Present	1.000
Videolink, Absent	-1.000

df 1
Sum of Squares .250
Mean Square .250
F-Value .574
P-Value .4512

Videolink, P x A
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Psych. Well-Being

	Cell Weight
Videolink, Present	1.000
Videolink, Absent	-1.000

df 1
Sum of Squares .694
Mean Square .694
F-Value 1.595
P-Value .2110

Videodep, A x Videolink, P
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Psych. Well-Being

	Cell Weight
Videodeposition, Absent	1.000
Videolink, Present	-1.000

df 1
Sum of Squares 1.000
Mean Square 1.000
F-Value 2.296
P-Value .1343

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	1	.031	.031	.044	.8336
Judge's Instructions	1	2.170	2.170	3.088	.0834
Presentation Mode * Judge's Instructions	1	3.337	3.337	4.748	.0328
Residual	68	47.792	.703		

Dependent: Child Testimony

Means Table

Effect: Presentation Mode * Judge's Instructions

Dependent: Child Testimony

	Count	Mean	Std. Dev.	Std. Error
Videodeposition, Present	18	3.861	.837	.197
Videodeposition, Absent	18	3.778	.732	.173
Videolink, Present	18	3.389	1.037	.244
Videolink, Absent	18	4.167	.707	.167

Videolink, P x A
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Testimony

	Cell Weight
Videolink, Present	1.000
Videolink, Absent	-1.000

df 1
Sum of Squares 5.444
Mean Square 5.444
F-Value 7.747
P-Value .0070

Videodep, P x A
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Testimony

	Cell Weight
Videodeposition, Present	1.000
Videodeposition, Absent	-1.000

df 1
Sum of Squares .063
Mean Square .063
F-Value .089
P-Value .7665

Videodep, P x Videolink, P
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Testimony

	Cell Weight
Videodeposition, Present	1.000
Videolink, Present	-1.000

df 1
Sum of Squares 2.007
Mean Square 2.007
F-Value 2.856
P-Value .0956

Videodep, A x Videolink, P
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Testimony

	Cell Weight
Videodeposition, Absent	1.000
Videolink, Present	-1.000

df 1
Sum of Squares 1.361
Mean Square 1.361
F-Value 1.937
P-Value .1686

Videodep, A x Videolink, A
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Testimony

	Cell Weight
Videodeposition, Absent	1.000
Videolink, Absent	-1.000

df 1
Sum of Squares 1.361
Mean Square 1.361
F-Value 1.937
P-Value .1686

Videodep, P x Videolink, A
Effect: Presentation Mode * Judge's Instructions
Dependent: Child Testimony

	Cell Weight
Videodeposition, Present	1.000
Videolink, Absent	-1.000

df 1
Sum of Squares .840
Mean Square .840
F-Value 1.196
P-Value .2781

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	1	5.014	5.014	8.086	.0059
Judge's Instructions	1	2.347	2.347	3.785	.0558
Presentation Mode * Judge's Instructions	1	2.347	2.347	3.785	.0558
Residual	68	42.167	.620		

Dependent: Defendant's Case

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	1	.281	.281	.361	.5501
Judge's Instructions	1	.420	.420	.539	.4654
Presentation Mode * Judge's Instructions	1	4.753	4.753	6.097	.0161
Residual	68	53.014	.780		

Dependent: Juror Task

Means Table
Effect: Presentation Mode * Judge's Instructions
Dependent: Juror Task

	Count	Mean	Std. Dev.	Std. Error
Videodeposition, Present	18	2.806	.667	.157
Videodeposition, Absent	18	2.444	.705	.166
Videolink, Present	18	2.167	.786	.185
Videolink, Absent	18	2.833	1.249	.294

Videolink, P x A
Effect: Presentation Mode * Judge's Instructions
Dependent: Juror Task

	Cell Weight
Videolink, Present	1.000
Videolink, Absent	-1.000

df 1
Sum of Squares 4.000
Mean Square 4.000
F-Value 5.131
P-Value .0267

Videodep, P x Videolink, P
Effect: Presentation Mode * Judge's Instructions
Dependent: Juror Task

	Cell Weight
Videodeposition, Present	1.000
Videolink, Present	-1.000

df 1
Sum of Squares 3.674
Mean Square 3.674
F-Value 4.712
P-Value .0334

Videodep, P x A
Effect: Presentation Mode * Judge's Instructions
Dependent: Juror Task

	Cell Weight
Videodeposition, Present	1.000
Videodeposition, Absent	-1.000

df 1
Sum of Squares 1.174
Mean Square 1.174
F-Value 1.505
P-Value .2241

Videodep, A x Videolink, A
Effect: Presentation Mode * Judge's Instructions
Dependent: Juror Task

	Cell Weight
Videodeposition, Absent	1.000
Videolink, Absent	-1.000

df	1
Sum of Squares	1.361
Mean Square	1.361
F-Value	1.746
P-Value	.1908

Videodep, P x Videolink, A
Effect: Presentation Mode * Judge's Instructions
Dependent: Juror Task

	Cell Weight
Videodeposition, Present	1.000
Videolink, Absent	-1.000

df	1
Sum of Squares	.007
Mean Square	.007
F-Value	.009
P-Value	.9251

Videodep, A x Videolink, P
Effect: Presentation Mode * Judge's Instructions
Dependent: Juror Task

	Cell Weight
Videodeposition, Absent	1.000
Videolink, Present	-1.000

df	1
Sum of Squares	.694
Mean Square	.694
F-Value	.891
P-Value	.3486

Type III Sums of Squares

Source	df	Sum of Squares	Mean Square	F-Value	P-Value
Presentation Mode	1	.347	.347	.408	.5251
Judge's Instructions	1	.889	.889	1.045	.3104
Presentation Mode * Judge's Instructions	1	2.722	2.722	3.199	.0781
Residual	68	57.861	.851		

Dependent: Justice

Appendix D

Scored Data

(5). Raw Data

	Presentation Mode	Judge's Instructions	Confidence		Consistency		Speech Style		Memory		Suggestibility		Fact From Fantasy	
			Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
1	Courtgiven	•	4.0	4.0	3.0	2.0	3.0	4.0	4.0	2.0	2.0	2.0	2.0	1.0
2	Courtgiven	•	4.0	4.0	4.0	4.0	3.0	3.0	4.0	4.0	4.0	4.0	4.0	4.0
3	Courtgiven	•	4.0	4.0	4.0	4.0	3.0	3.0	3.0	3.0	3.0	4.0	4.0	4.0
4	Courtgiven	•	4.0	4.0	4.0	4.0	2.0	3.0	4.0	4.0	3.0	3.0	3.0	4.0
5	Courtgiven	•	3.0	3.0	3.0	3.0	2.0	2.0	2.0	2.0	2.0	3.0	4.0	3.0
6	Courtgiven	•	3.0	3.0	4.0	3.0	3.0	3.0	2.0	3.0	2.0	3.0	4.0	4.0
7	Courtgiven	•	3.0	2.0	3.0	2.0	2.0	1.0	2.0	2.0	2.0	2.0	1.0	1.0
8	Courtgiven	•	3.0	4.0	4.0	4.0	3.0	3.0	4.0	4.0	4.0	3.0	5.0	5.0
9	Courtgiven	•	3.0	2.0	4.0	3.0	2.0	2.0	3.0	3.0	4.0	2.0	3.0	4.0
10	Courtgiven	•	3.0	3.0	4.0	4.0	2.0	2.0	3.0	3.0	2.0	2.0	3.0	3.0
11	Courtgiven	•	4.0	4.0	4.0	4.0	3.0	3.0	4.0	4.0	2.0	2.0	3.0	4.0
12	Courtgiven	•	2.0	2.0	4.0	4.0	2.0	2.0	4.0	4.0	1.0	2.0	2.0	2.0
13	Courtgiven	•	4.0	3.0	4.0	3.0	2.0	2.0	3.0	3.0	4.0	4.0	4.0	4.0
14	Courtgiven	•	3.0	3.0	4.0	2.0	2.0	2.0	2.0	1.0	2.0	2.0	4.0	4.0
15	Courtgiven	•	4.0	4.0	4.0	3.0	3.0	5.0	4.0	4.0	5.0	3.0	5.0	4.0
16	Courtgiven	•	2.0	3.0	3.0	1.0	2.0	1.0	3.0	2.0	2.0	2.0	3.0	3.0
17	Courtgiven	•	4.0	4.0	5.0	3.0	4.0	4.0	4.0	2.0	2.0	2.0	4.0	2.0
18	Courtgiven	•	4.0	4.0	4.0	3.0	3.0	4.0	2.0	2.0	3.0	4.0	4.0	3.0
19	Courtgiven	•	1.0	1.0	2.0	2.0	1.0	2.0	2.0	2.0	2.0	1.0	4.0	4.0
20	Courtgiven	•	2.0	2.0	2.0	2.0	1.0	1.0	1.0	2.0	2.0	2.0	3.0	2.0
21	Courtgiven	•	2.0	2.0	3.0	2.0	2.0	2.0	2.0	4.0	2.0	2.0	3.0	2.0
22	Courtgiven	•	2.0	3.0	5.0	4.0	2.0	2.0	3.0	4.0	2.0	3.0	4.0	4.0
23	Courtgiven	•	3.0	3.0	3.0	4.0	1.0	2.0	4.0	4.0	2.0	3.0	4.0	4.0
24	Courtgiven	•	3.0	3.0	2.0	4.0	1.0	2.0	3.0	3.0	3.0	2.0	2.0	3.0
25	Courtgiven	•	4.0	4.0	5.0	5.0	4.0	4.0	4.0	5.0	5.0	5.0	5.0	5.0
26	Courtgiven	•	2.0	4.0	4.0	4.0	2.0	3.0	3.0	3.0	2.0	4.0	5.0	4.0
27	Courtgiven	•	4.0	4.0	4.0	4.0	3.0	3.0	2.0	2.0	3.0	4.0	1.0	4.0

	Maturity		Overall Credibility (Child)		Overall Credibility (Defendant)		Defendant Guilt		Child Psych. Well-Being	Child Testimony
	Pre	Post	Pre	Post	Pre	Post	Pre	Post		
1	2.0	3.0	4.0	2.0	5.0	4.0	4.0	4.0	3.0	5.0
2	4.0	4.0	4.0	4.0	4.0	4.0	3.0	3.0	3.0	4.0
3	2.0	3.0	4.0	4.0	4.0	3.0	3.0	3.0	2.0	4.0
4	3.0	3.0	4.0	4.0	3.0	3.0	2.0	2.0	2.0	3.0
5	3.0	3.0	3.0	3.0	4.0	4.0	3.0	3.0	3.0	2.0
6	1.0	3.0	4.0	4.0	2.0	2.0	2.0	2.0	2.0	2.0
7	2.0	1.0	3.0	3.0	2.0	2.0	2.0	2.0	2.0	3.0
8	4.0	3.0	5.0	4.0	2.0	2.0	2.0	2.0	4.0	4.0
9	2.0	3.0	4.0	3.0	3.0	3.0	3.0	2.0	2.0	2.0
10	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	2.0	2.0
11	3.0	3.0	4.0	4.0	3.0	2.0	2.0	2.0	2.0	2.0
12	2.0	2.0	4.0	4.0	3.0	3.0	4.0	3.0	3.0	2.0
13	3.0	3.0	4.0	4.0	3.0	2.0	2.0	2.0	3.0	2.0
14	4.0	4.0	4.0	2.0	4.0	4.0	4.0	4.0	2.0	3.0
15	5.0	5.0	4.0	4.0	2.0	2.0	2.0	3.0	3.0	4.0
16	2.0	3.0	3.0	1.0	3.0	3.0	4.0	4.0	2.0	3.0
17	5.0	4.0	4.0	3.0	2.0	3.0	3.0	4.0	2.0	2.0
18	3.0	2.0	4.0	4.0	2.0	2.0	2.0	2.0	2.0	2.0
19	2.0	2.0	4.0	3.0	1.0	2.0	1.0	2.0	3.0	2.0
20	3.0	2.0	4.0	4.0	2.0	2.0	2.0	3.0	2.0	3.0
21	2.0	2.0	2.0	3.0	3.0	2.0	4.0	2.0	2.0	3.0
22	3.0	2.0	4.0	4.0	4.0	4.0	3.0	3.0	2.0	2.0
23	2.0	2.0	3.0	3.0	4.0	3.0	3.0	3.0	3.0	3.0
24	2.0	2.0	2.0	2.0	4.0	3.0	4.0	3.0	3.0	3.0
25	4.0	4.0	5.0	5.0	3.0	3.0	1.0	1.0	3.0	3.0
26	3.0	4.0	4.0	5.0	2.0	2.0	2.0	2.0	2.0	4.0
27	2.0	4.0	3.0	4.0	4.0	3.0	4.0	3.0	3.0	3.0

	Defendant's Case	Juror Task	Justice	Juror Gender	Age	Parent	Jury Experience
1	2.0	2.0	1.0	Male	19	No	No
2	4.0	4.0	1.0	Female	18	No	No
3	3.0	4.0	3.0	Female	18	No	No
4	4.0	3.0	4.0	Male	32	No	Yes
5	4.0	4.0	2.0	Female	18	No	No
6	1.0	4.0	3.0	Female	18	No	No
7	1.0	4.0	4.0	Female	18	No	No
8	4.0	5.0	3.0	Female	18	No	No
9	3.0	3.0	3.0	Female	29	Yes	No
10	3.0	3.0	3.0	Female	24	No	No
11	2.0	5.0	4.0	Male	19	No	No
12	2.0	5.0	2.0	Male	19	No	No
13	3.0	2.0	3.0	Female	42	Yes	No
14	2.0	4.0	2.0	Female	19	No	No
15	4.0	3.0	2.0	Male	18	No	No
16	2.0	3.0	2.0	Male	19	No	No
17	4.0	3.0	2.0	Female	38	Yes	No
18	3.0	3.0	2.0	Female	19	No	No
19	4.0	3.0	3.0	Female	18	No	No
20	3.0	4.0	2.0	Female	18	No	No
21	2.0	1.0	3.0	Female	18	No	No
22	3.0	3.0	3.0	Male	26	Yes	No
23	1.0	3.0	1.0	Female	24	No	No
24	3.0	3.0	1.0	Male	26	No	No
25	1.0	5.0	3.0	Male	52	Yes	No
26	1.0	5.0	1.0	Male	23	No	No
27	2.0	4.0	2.0	Female	52	Yes	No

	Presentation Mode	Judge's Instructions	Confidence		Consistency		Speech Style		Memory		Suggestibility		Fact From Fantasy	
			Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
28	Courtgiven	.	3.0	4.0	4.0	4.0	2.0	3.0	3.0	3.0	4.0	4.0	4.0	4.0
29	Courtgiven	.	4.0	4.0	4.0	4.0	3.0	3.0	3.0	4.0	4.0	4.0	4.0	5.0
30	Courtgiven	.	4.0	4.0	4.0	5.0	5.0	5.0	2.0	5.0	5.0	5.0	5.0	5.0
31	Courtgiven	.	2.0	4.0	4.0	4.0	4.0	3.0	3.0	4.0	2.0	2.0	3.0	3.0
32	Courtgiven	.	3.0	2.0	4.0	4.0	2.0	2.0	2.0	3.0	1.0	2.0	4.0	4.0
33	Courtgiven	.	4.0	4.0	4.0	4.0	4.0	1.0	5.0	5.0	2.0	1.0	2.0	3.0
34	Courtgiven	.	4.0	4.0	4.0	4.0	2.0	2.0	3.0	4.0	2.0	1.0	5.0	5.0
35	Courtgiven	.	4.0	4.0	3.0	4.0	4.0	3.0	3.0	4.0	2.0	2.0	4.0	4.0
36	Courtgiven	.	4.0	4.0	3.0	3.0	2.0	2.0	4.0	4.0	4.0	3.0	2.0	3.0
37	Videodeposition	Present	3.0	4.0	4.0	3.0	2.0	2.0	2.0	2.0	3.0	4.0	5.0	5.0
38	Videodeposition	Present	3.0	3.5	3.0	4.0	3.0	3.5	2.0	2.5	2.0	2.0	4.0	3.0
39	Videodeposition	Present	4.0	4.0	4.0	3.0	3.0	3.0	3.0	3.0	4.0	3.0	4.0	3.0
40	Videodeposition	Present	4.0	4.0	5.0	4.0	5.0	4.0	4.0	3.0	3.0	3.0	3.0	4.0
41	Videodeposition	Present	4.0	4.0	4.0	4.0	3.0	4.0	3.0	3.0	2.0	2.0	4.0	3.0
42	Videodeposition	Present	5.0	5.0	2.0	4.0	2.0	4.0	3.0	4.0	2.0	2.0	3.0	3.0
43	Videodeposition	Present	4.0	3.0	3.0	4.0	3.0	3.0	2.0	3.0	3.0	3.0	4.0	4.0
44	Videodeposition	Present	3.0	3.0	4.0	3.0	3.0	2.0	4.0	3.0	3.0	3.0	2.0	3.0
45	Videodeposition	Present	4.0	4.0	5.0	4.0	3.0	3.0	4.0	4.0	3.0	4.0	4.0	4.0
46	Videodeposition	Present	3.0	2.0	4.0	3.0	2.0	2.0	3.0	3.0	2.0	3.0	4.0	4.0
47	Videodeposition	Present	3.0	4.0	4.0	3.0	2.0	2.0	4.0	4.0	2.0	2.0	3.0	3.0
48	Videodeposition	Present	4.0	4.0	3.0	2.0	3.0	3.0	2.0	2.0	2.0	4.0	3.0	3.0
49	Videodeposition	Present	4.0	4.0	3.0	4.0	3.0	3.0	4.0	4.0	3.0	4.0	4.0	4.0
50	Videodeposition	Present	4.0	3.0	4.0	4.0	3.0	2.0	4.0	3.0	2.0	3.0	4.0	4.0
51	Videodeposition	Present	4.0	4.0	5.0	4.0	3.0	3.0	4.0	4.0	3.0	3.0	4.0	4.0
52	Videodeposition	Present	4.0	4.0	5.0	5.0	3.0	2.0	4.0	4.0	4.0	2.0	3.0	4.0
53	Videodeposition	Present	4.0	2.0	4.0	4.0	4.0	3.0	4.0	4.0	5.0	4.0	4.0	4.0
54	Videodeposition	Present	5.0	5.0	5.0	5.0	4.0	4.0	4.0	5.0	4.0	4.0	5.0	4.0

	Maturity		Overall Credibility (Child)		Overall Credibility (Defendant)		Defendant Guilt		Child Psych. Well-Being	Child Testimony
	Pre	Post	Pre	Post	Pre	Post	Pre	Post		
28	3.0	3.0	4.0	5.0	3.0	2.0	3.0	2.0	2.0	3.0
29	3.0	4.0	4.0	4.0	3.0	2.0	2.0	2.0	3.0	2.0
30	5.0	4.0	4.0	5.0	4.0	2.0	2.0	2.0	3.0	4.0
31	2.0	2.0	4.0	4.0	4.0	4.0	3.0	2.0	4.0	3.0
32	4.0	4.0	4.0	4.0	2.0	3.0	3.0	3.0	1.0	2.0
33	4.0	4.0	4.0	3.5	3.0	3.0	2.0	2.5	5.0	3.0
34	3.0	2.0	4.0	3.0	3.0	3.0	3.0	2.0	4.0	4.0
35	4.0	4.0	3.0	4.0	4.0	3.0	4.0	3.0	4.0	3.0
36	2.0	2.0	3.0	4.0	5.0	4.0	4.0	3.0	3.0	2.0
37	3.0	4.0	3.0	4.0	3.0	3.0	3.0	2.0	5.0	3.0
38	4.0	4.0	4.0	4.0	4.0	3.0	4.0	3.0	4.0	4.0
39	4.0	3.0	4.0	4.0	2.0	2.0	2.0	2.0	4.0	5.0
40	4.0	4.0	4.0	5.0	2.0	1.0	1.0	1.0	5.0	5.0
41	4.0	4.0	4.0	4.0	3.0	3.0	2.0	2.5	4.0	3.5
42	5.0	5.0	2.0	4.0	4.0	3.0	5.0	4.0	5.0	5.0
43	2.0	3.0	3.0	3.0	2.0	3.0	3.0	4.0	3.0	3.0
44	2.0	2.0	3.0	3.0	3.0	3.0	3.0	4.0	5.0	5.0
45	3.0	4.0	4.0	4.0	4.0	4.0	3.0	3.0	5.0	3.0
46	2.0	2.0	3.0	3.0	4.0	3.0	4.0	3.0	3.0	2.0
47	3.0	3.0	3.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
48	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
49	3.0	3.0	3.0	5.0	2.0	2.0	2.0	2.0	4.0	4.0
50	2.0	1.0	4.0	3.0	3.0	2.0	2.0	2.0	3.0	4.0
51	2.0	3.0	3.0	4.0	3.0	2.0	3.0	3.0	5.0	4.0
52	4.0	4.0	4.0	4.0	3.0	4.0	2.0	3.0	4.0	4.0
53	4.0	3.0	4.0	4.0	4.0	3.0	2.0	2.0	5.0	4.0
54	5.0	4.0	4.0	5.0	3.0	2.0	2.0	2.0	5.0	4.0

	Defendant's Case	Juror Task	Justice	Juror Gender	Age	Parent	Jury Experience
28	2.0	4.0	3.0	Female	20	No	No
29	1.0	5.0	3.0	Female	47	Yes	No
30	2.0	4.0	2.0	Female	25	No	No
31	2.0	4.0	2.0	Male	18	No	No
32	3.0	2.0	2.0	Male	18	No	No
33	4.0	3.5	3.0	Female	18	No	No
34	4.0	4.0	1.0	Female	19	No	No
35	3.0	4.0	3.0	Female	19	No	No
36	1.0	4.0	3.0	Female	18	No	No
37	2.0	3.0	2.0	Female	25	No	No
38	2.0	3.5	2.0	Female	22	No	No
39	2.0	2.0	2.0	Female	39	Yes	No
40	1.0	3.0	1.0	Male	29	No	No
41	2.0	2.0	1.0	Male	27	No	No
42	2.0	4.0	2.0	Female	32	No	No
43	2.0	3.0	2.0	Female	18	No	No
44	2.0	2.0	4.0	Male	18	No	No
45	3.0	3.0	4.0	Male	20	No	No
46	3.0	2.0	2.0	Female	19	No	No
47	2.0	2.0	2.0	Female	18	No	No
48	3.0	3.0	2.5	Female	18	No	No
49	3.0	3.0	3.0	Male	18	No	No
50	2.0	3.0	2.0	Female	19	No	No
51	2.0	3.0	3.0	Female	19	No	No
52	2.0	2.0	3.0	Male	19	No	No
53	2.0	4.0	2.0	Female	22	No	No
54	2.0	3.0	2.0	Female	18	No	No

	Presentation Mode	Judge's Instructions	Confidence		Consistency		Speech Style		Memory		Suggestibility		Fact From Fantasy	
			Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
55	Videodeposition	Absent	4.0	4.0	3.0	3.0	2.0	2.0	3.0	3.0	2.0	2.0	3.0	3.0
56	Videodeposition	Absent	4.0	4.0	4.0	4.0	2.0	1.0	2.0	3.0	3.0	2.0	4.0	4.0
57	Videodeposition	Absent	5.0	5.0	4.0	3.0	3.0	4.0	3.0	3.0	2.0	2.0	3.0	3.0
58	Videodeposition	Absent	3.0	3.0	4.0	3.0	3.0	3.0	4.0	3.0	3.0	3.0	3.0	4.0
59	Videodeposition	Absent	3.0	4.0	4.0	4.0	3.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
60	Videodeposition	Absent	2.0	2.0	3.0	3.0	2.0	3.0	3.0	3.0	2.0	2.0	4.0	3.0
61	Videodeposition	Absent	3.0	4.0	4.0	4.0	2.0	4.0	5.0	5.0	4.0	2.0	4.0	4.0
62	Videodeposition	Absent	5.0	4.0	4.0	4.0	4.0	4.0	3.0	3.0	4.0	3.0	5.0	4.0
63	Videodeposition	Absent	4.0	4.0	3.0	4.0	4.0	4.0	3.0	4.0	3.0	2.0	4.0	4.0
64	Videodeposition	Absent	3.0	4.0	4.0	3.0	2.0	4.0	2.0	3.0	4.0	4.0	4.0	4.0
65	Videodeposition	Absent	4.0	4.0	4.0	4.0	2.0	3.0	3.0	3.0	3.0	4.0	4.0	4.0
66	Videodeposition	Absent	3.0	4.0	4.0	2.0	2.0	2.0	2.0	1.0	2.0	2.0	3.0	2.0
67	Videodeposition	Absent	4.0	4.0	4.0	4.0	3.0	3.0	4.0	4.0	4.0	4.0	5.0	4.0
68	Videodeposition	Absent	4.0	4.0	3.0	3.0	2.0	2.0	4.0	3.0	4.0	2.0	4.0	4.0
69	Videodeposition	Absent	4.0	4.0	4.0	4.0	2.0	2.0	3.0	3.0	4.0	3.0	4.0	4.0
70	Videodeposition	Absent	3.0	4.0	3.0	2.0	3.0	3.0	3.0	3.0	2.0	4.0	5.0	4.0
71	Videodeposition	Absent	4.0	4.0	4.0	3.0	3.0	4.0	4.0	3.0	3.0	2.0	4.0	3.0
72	Videodeposition	Absent	5.0	4.0	2.0	2.0	3.0	4.0	3.0	3.0	2.0	3.0	4.0	3.0
73	Videolink	Present	5.0	5.0	3.0	3.0	4.0	4.0	2.0	3.0	3.0	3.0	5.0	4.0
74	Videolink	Present	2.0	2.0	3.0	2.0	2.0	2.0	2.0	2.0	1.0	2.0	2.0	2.0
75	Videolink	Present	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
76	Videolink	Present	3.0	3.0	3.0	2.0	4.0	4.0	3.0	2.0	2.0	3.0	3.0	4.0
77	Videolink	Present	4.0	4.0	4.0	2.0	4.0	4.0	3.0	2.0	2.0	4.0	5.0	5.0
78	Videolink	Present	4.0	5.0	5.0	4.0	4.0	4.0	3.0	3.0	1.0	2.0	3.0	3.0
79	Videolink	Present	3.0	3.0	3.0	3.0	4.0	3.0	3.0	3.0	2.0	2.0	3.0	3.0
80	Videolink	Present	4.0	4.0	3.0	3.0	4.0	4.0	3.0	3.0	2.0	2.0	3.0	3.0
81	Videolink	Present	4.0	1.0	2.0	2.0	4.0	1.0	1.0	2.0	2.0	1.0	1.0	2.0

	Maturity	Overall Credibility (Child)		Overall Credibility (Defendant)		Defendant Guilt		Child Psych. Well-Being	Child Testimony	
	Pre	Post	Pre	Post	Pre	Post				
55	3.0	3.0	3.0	3.0	4.0	4.0	3.0	3.0	3.0	2.0
56	5.0	3.0	2.0	3.0	3.0	4.0	3.0	4.0	3.0	4.0
57	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
58	2.0	2.0	3.0	3.0	3.0	3.0	3.0	3.0	4.0	4.0
59	3.0	3.0	4.0	3.0	3.0	4.0	3.0	3.0	4.0	4.0
60	3.0	2.0	2.0	2.0	4.0	4.0	4.0	4.0	3.0	4.0
61	3.0	3.0	3.0	5.0	2.0	3.0	2.0	3.0	3.0	4.0
62	5.0	4.0	4.0	4.0	4.0	4.0	2.0	2.0	3.0	4.0
63	4.0	3.0	4.0	3.0	4.0	3.0	3.0	3.0	4.0	4.0
64	1.0	3.0	4.0	4.0	3.0	2.0	3.0	2.0	4.0	4.0
65	4.0	3.0	4.0	4.0	4.0	4.0	3.0	3.0	3.0	5.0
66	4.0	3.0	2.0	2.0	3.0	4.0	4.0	4.0	3.0	3.0
67	4.0	4.0	4.0	4.0	3.0	3.0	2.0	2.0	3.0	4.0
68	2.0	2.0	4.0	3.0	2.0	3.0	2.0	3.0	4.0	5.0
69	4.0	3.0	4.0	3.0	2.0	3.0	2.0	3.0	3.0	4.0
70	3.0	3.0	3.0	3.0	3.0	3.0	3.0	5.0	3.0	3.0
71	3.0	3.0	4.0	3.0	3.0	4.0	3.0	3.0	4.0	3.0
72	5.0	4.0	3.0	3.0	3.0	3.0	4.0	4.0	4.0	3.0
73	4.0	4.0	3.0	3.0	2.0	3.0	3.0	3.0	3.0	4.0
74	3.0	4.0	2.0	2.0	4.0	4.0	4.0	4.0	3.0	3.0
75	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	4.0
76	4.0	4.0	3.0	2.0	2.0	2.0	2.0	3.0	4.0	4.0
77	4.0	4.0	4.0	3.0	2.0	4.0	2.0	3.0	3.0	4.0
78	5.0	4.0	3.0	3.0	3.0	3.0	3.0	4.0	4.0	3.0
79	4.0	3.0	4.0	2.0	2.0	3.0	1.0	3.0	4.0	3.0
80	4.0	3.0	3.0	3.0	3.0	3.0	4.0	4.0	3.0	2.0
81	1.0	1.0	3.0	3.0	4.0	3.0	4.0	4.0	5.0	1.0

	Defendant's Case	Juror Task	Justice	Juror Gender	Age	Parent	Jury Experience
55	3.0	2.0	2.0	Female	18	No	No
56	5.0	2.0	1.0	Female	18	No	No
57	3.0	4.0	2.0	Female	32	Yes	No
58	3.0	2.0	2.0	Female	18	No	No
59	3.0	3.0	1.0	Male	44	Yes	Yes
60	3.0	2.0	4.0	Male	39	No	No
61	2.0	3.0	2.0	Female	19	No	No
62	4.0	2.0	2.0	Female	45	Yes	No
63	4.0	3.0	1.0	Male	19	No	No
64	2.0	2.0	4.0	Female	18	No	No
65	1.0	3.0	1.5	Male	19	No	No
66	2.0	1.0	3.0	Female	18	No	No
67	2.0	3.0	2.0	Male	38	Yes	No
68	3.0	2.0	2.0	Female	18	No	No
69	3.0	2.0	1.0	Female	18	No	No
70	4.0	3.0	2.0	Female	18	No	No
71	2.0	2.0	3.0	Male	21	No	No
72	3.0	3.0	3.0	Female	42	Yes	No
73	3.0	2.0	2.0	Male	34	No	No
74	3.0	2.0	1.0	Female	19	No	No
75	2.0	3.0	3.0	Female	47	Yes	No
76	3.0	2.0	2.0	Female	18	No	No
77	2.0	2.0	1.0	Female	19	No	No
78	3.0	3.0	2.0	Male	18	No	No
79	2.0	4.0	1.0	Female	20	No	No
80	5.0	1.0	4.0	Male	38	Yes	No
81	4.0	1.0	2.0	Male	19	No	No

	Presentation Mode	Judge's Instructions	Confidence		Consistency		Speech Style		Memory		Suggestibility		Fact From Fantasy	
			Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
82	Videolink	Present	4.0	4.0	4.0	4.0	4.0	4.0	3.0	4.0	3.0	3.0	5.0	5.0
83	Videolink	Present	4.0	4.0	5.0	3.0	3.0	3.0	3.0	3.0	4.0	3.0	5.0	4.0
84	Videolink	Present	4.0	4.0	4.0	4.0	4.0	3.0	3.0	3.0	4.0	3.0	5.0	4.0
85	Videolink	Present	4.0	5.0	4.0	5.0	3.0	4.0	3.0	2.0	3.0	3.0	5.0	4.0
86	Videolink	Present	3.0	4.0	3.0	3.0	2.0	3.0	2.0	2.0	3.0	2.0	4.0	3.0
87	Videolink	Present	4.0	4.0	3.0	4.0	4.0	5.0	5.0	5.0	4.0	4.0	4.0	3.0
88	Videolink	Present	4.0	4.0	4.0	4.0	3.0	3.0	5.0	5.0	4.0	3.0	4.0	3.0
89	Videolink	Present	4.0	4.0	4.0	4.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	4.0
90	Videolink	Present	4.0	4.0	4.0	4.0	5.0	5.0	4.0	4.0	3.0	3.0	4.0	4.0
91	Videolink	Absent	2.0	2.0	4.0	4.0	3.0	2.0	2.0	2.0	3.0	3.0	2.0	2.0
92	Videolink	Absent	4.0	3.0	4.0	4.0	4.0	3.0	4.0	3.0	3.0	2.0	3.0	3.0
93	Videolink	Absent	3.0	2.0	5.0	3.0	2.0	2.0	4.0	4.0	2.0	2.0	4.0	3.0
94	Videolink	Absent	4.0	4.0	5.0	4.0	4.0	4.0	4.0	3.0	2.0	2.0	4.0	4.0
95	Videolink	Absent	5.0	5.0	5.0	5.0	4.0	3.0	4.0	4.0	4.0	4.0	5.0	4.0
96	Videolink	Absent	3.0	3.0	2.0	3.0	2.0	2.0	2.0	2.0	1.0	1.0	1.0	3.0
97	Videolink	Absent	2.0	5.0	4.0	4.0	3.0	4.0	4.0	4.0	2.0	3.0	5.0	5.0
98	Videolink	Absent	2.0	2.0	1.0	2.0	2.0	2.0	3.0	2.0	2.0	2.0	2.0	2.0
99	Videolink	Absent	4.0	4.0	4.0	3.0	4.0	4.0	4.0	3.0	3.0	2.0	4.0	3.0
100	Videolink	Absent	4.0	4.0	3.0	2.0	3.0	3.0	3.0	2.0	3.0	3.0	2.0	2.0
101	Videolink	Absent	2.0	4.0	3.0	3.0	2.0	4.0	2.0	2.0	4.0	3.0	4.0	5.0
102	Videolink	Absent	2.0	4.0	2.0	1.0	2.0	1.0	2.0	2.0	2.0	2.0	3.0	1.0
103	Videolink	Absent	4.0	4.0	3.0	3.0	2.0	2.0	3.0	3.0	4.0	4.0	3.0	4.0
104	Videolink	Absent	4.0	4.0	4.0	4.0	3.0	3.0	3.0	3.0	4.0	3.0	3.0	4.5
105	Videolink	Absent	3.0	3.0	4.0	2.0	3.0	3.0	2.0	2.0	3.0	2.0	2.0	3.0
106	Videolink	Absent	4.0	2.0	3.0	2.0	2.0	2.0	2.0	2.0	2.0	3.0	3.0	4.0
107	Videolink	Absent	4.0	4.0	4.0	4.0	3.0	3.0	4.0	4.0	4.0	4.0	4.0	4.0
108	Videolink	Absent	4.0	4.0	4.0	4.0	3.0	2.0	3.0	3.0	2.0	3.0	5.0	4.0

	Maturity		Overall Credibility (Child)		Overall Credibility (Defendant)		Defendant Guilt		Child Psych. Well-Being	Child Testimony
	Pre	Post	Pre	Post	Pre	Post	Pre	Post		
82	3.0	2.0	4.0	4.0	4.0	4.0	2.0	3.0	4.0	4.0
83	4.0	3.0	4.0	3.0	2.0	3.0	2.0	2.0	4.0	3.0
84	4.0	3.0	4.0	4.0	4.0	4.0	3.0	3.0	4.0	3.0
85	4.0	4.0	4.0	4.0	4.0	4.0	3.0	3.0	4.0	5.0
86	3.0	3.0	4.0	3.0	2.0	2.0	2.0	2.0	4.0	2.0
87	2.0	2.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	5.0
88	4.0	5.0	4.0	4.0	2.0	2.0	2.0	4.0	5.0	4.0
89	4.0	3.0	4.0	3.0	4.0	3.0	3.0	3.0	4.0	4.0
90	4.0	4.0	4.0	4.0	4.0	4.0	3.0	3.0	4.0	3.0
91	2.0	2.0	2.0	2.0	4.0	3.0	4.0	4.0	3.0	5.0
92	3.0	2.0	3.0	3.0	3.0	3.0	3.0	3.0	4.0	4.0
93	2.0	2.0	3.0	3.0	4.0	4.0	4.0	4.0	4.0	4.0
94	4.0	3.0	3.0	4.0	4.0	4.0	4.0	4.0	4.0	2.0
95	3.0	2.0	5.0	3.0	2.0	2.0	2.0	3.0	3.0	4.0
96	2.0	2.0	2.0	2.0	4.0	4.0	5.0	4.0	5.0	4.0
97	5.0	5.0	5.0	4.0	2.0	1.0	1.0	2.0	3.0	5.0
98	2.0	3.0	2.0	2.0	3.0	3.0	3.0	4.0	4.0	4.0
99	4.0	4.0	3.0	3.0	4.0	3.0	3.0	3.0	4.0	4.0
100	3.0	3.0	3.0	3.5	4.0	4.0	3.0	3.0	5.0	4.0
101	3.0	4.0	3.0	3.0	4.0	3.0	4.0	4.0	5.0	5.0
102	2.0	4.0	2.0	2.0	2.0	4.0	4.0	3.0	4.0	5.0
103	4.0	3.0	4.0	3.0	3.0	3.0	3.0	3.0	4.0	4.0
104	4.0	4.0	3.5	3.0	3.0	2.5	3.0	3.0	4.0	4.0
105	3.0	3.0	3.0	2.0	4.0	3.0	5.0	4.0	4.0	4.0
106	3.0	3.0	3.0	3.0	3.0	3.0	4.0	2.0	4.0	4.0
107	4.0	3.0	4.0	4.0	3.0	4.0	2.0	2.0	5.0	5.0
108	4.0	3.0	4.0	4.0	2.0	2.0	2.0	3.0	4.0	4.0

	Defendant's Case	Juror Task	Justice	Juror Gender	Age	Parent	Jury Experience
82	3.0	2.0	1.0	Female	18	No	No
83	2.0	3.0	1.0	Female	20	Yes	No
84	3.0	3.0	1.0	Female	22	No	No
85	4.0	2.0	1.0	Female	18	No	No
86	3.0	2.0	2.0	Male	18	No	No
87	5.0	1.0	1.0	Female	20	No	No
88	3.0	2.0	2.0	Female	19	No	No
89	2.0	2.0	2.0	Female	19	No	No
90	3.0	2.0	3.0	Male	40	No	No
91	3.0	3.0	4.0	Male	20	No	No
92	3.0	4.0	1.0	Female	18	No	No
93	2.0	2.0	2.0	Female	36	Yes	No
94	4.0	2.0	2.0	Male	19	No	No
95	3.0	2.0	3.0	Female	44	Yes	No
96	2.0	1.0	1.0	Female	24	No	No
97	2.0	2.0	1.0	Male	19	No	No
98	3.0	3.0	3.0	Female	27	No	No
99	3.0	2.0	3.0	Female	23	No	No
100	3.0	1.0	2.0	Male	18	No	No
101	4.0	4.0	2.0	Female	18	No	No
102	3.0	5.0	1.0	Female	18	No	No
103	3.0	2.0	4.0	Female	23	No	No
104	4.0	2.0	2.0	Female	19	No	No
105	3.0	4.0	3.0	Male	23	No	No
106	3.0	5.0	2.0	Female	18	No	No
107	3.0	3.0	3.0	Male	32	No	No
108	4.0	4.0	4.0	Female	18	No	No